

*The Ancient Paths*

Parents are responsible for the protection of their children. Unborn and small children are unable and not equipped to defend themselves against the schemes of the devil. As a result, God appointed agents to protect them and care for them. Again these agents are called parents. One day some years ago, the Lord opened up to me what I have since come to refer to as the **STRONG MAN PRINCIPLE**.

*"Or how can anyone enter the strong man's house and carry off his property unless he first binds the strong man? And then he will plunder his house." (Matthew 12:29)*

In this passage, Jesus is explaining how to expel demonic spirits. He says that there are different ranking spirits with which to deal. If you want to be rid of all the lower ranking spirits, you must first find their "chief," bind him, and then you can eliminate the others. The "chief" is called the strong man.

As I was studying this passage, one day the Lord spoke to me that the principle works exactly the same when the kingdom of darkness is attempting to invade your house. In the Greek language, the word translated "house" is the word "OIKOS." This word in this context is not referring to the physical dwelling place, but rather to the family. OIKOS literally means: "the descendants thereof."

So when the enemy (the devil and demonic spirits) comes to plunder your house (OIKOS), he is

### *God's Blessing Through Cultural Traditions*

after your family. His purpose is to devastate and destroy your marriage, children, and grandchildren. In order to do so, he must first bind the strong man. Who is the strong man of your house? The husband is the strong man to the wife, and both parents are strongmen to the children. Thus, in the areas of life in which the enemy can bind the parents, he has access to the children.



# Tennessean.

WILLIAMSON

## How close can judges be with lawyers? Emails including Williamson Co. judge raise questions

Elaina Sauber The Tennessean

Published 5:00 a.m. CT Aug. 30, 2018

Williamson County Judge Michael Binkley sent an email to his wife in April 2016 to let her know a weekend lake trip organized for several judges and attorneys had been rescheduled to ensure the couple could attend.

"Looks like they made the lake party the second weekend so that you and I could be there. Very nice!! Put it on your calendar," Binkley wrote.

But the attorney who invited Binkley also had an active case before the judge in circuit court.

Three days before Binkley sent that email, the plaintiffs in a case he was overseeing, Sam and Shannon Clemmons, filed a motion asking the judge to recuse himself. Binkley later denied the motion.

One of the defense attorneys in the Clemmons' case, Virginia Story, invited Binkley, as well as his brother, Davidson County Judge Joe Binkley, on weekend trips in August 2015 and August 2016 featuring a houseboat, a lake house and dinners, according to emails obtained by USA TODAY NETWORK - Tennessee.

The Tennessee Administrative Office of the Courts refused to provide any emails about the trips, which were sent to or from judges' government-issued email addresses, claiming that the emails were not subject to inspection. This was in spite of the fact that the administrative office had previously produced some of those emails to another public records requester. The administrative office was specifically asked for those already-produced emails, but refused.

The lake trip emails sparked questions by the Clemmonses about whether judges can remain fair and impartial when presiding over cases while simultaneously vacationing with



attorneys in those cases.

Attorney James Oglesby, who said he's attended the trips in past years, said they are held at Center Hill Lake, and confirmed Story — the defense attorney in the Clemmons' case — hosts them.

The emails didn't raise concerns for the Tennessee Board of Judicial Conduct, which is the state's sole authority for investigating and reprimanding sitting judges who violate judicial conduct rules.

In a letter sent to the Clemmonses in March, responding to their 144-page complaint about Binkley, board chair and Judge Chris Craft noted that proof of a judge's ethics violation must be "clear and convincing."

"The investigative panel did not feel such a burden could be met in this case," Craft wrote.

The complaint was dismissed.

Binkley did not return a request for comment.

## 'You're going to get yourself into trouble'

It's unrealistic to expect a person to relinquish all their personal relationships with fellow attorneys once they become a judge, said Charles Geyh, an Indiana University law professor and expert in legal and judicial ethics.

But judges should be careful, Geyh said, if activities go beyond a casual lunch or social event.

Judges should never preside over cases when they're close friends with any of the attorneys involved, Geyh said.

"You start vacationing with people, and you're going to get yourself into trouble," he said. "It's not cool if it reaches the point of creating the perception that there are lawyers who have special access (to the judge)."

Tennessee judges must recuse themselves from presiding over cases in which their impartiality might "reasonably" be questioned, according to the state code of judicial conduct.

"People with whom you socialize actively, vacation with, enter business relationships with - there's nothing wrong with continuing to do that after (you become) a judge," Geyh said. "You just can't hear cases in which those lawyers make appearances before you."

## 'Just something you do'

It's unclear how many attorneys and judges were invited to or attended the boating trips in 2015 and 2016. One email from Story about the 2015 trip was sent to Michael Binkley, Joe Binkley, Williamson County Judge Joseph Woodruff, and more than a dozen Williamson County attorneys.

Some attorneys who were included in the emails and contacted by The Tennessean for comment said they didn't think judges and attorneys vacationing together was an issue.

"I don't think it's any business the public needs to have. It's just something you do," said Lori Thomas Reid, a Franklin family law attorney who was included on one of the emails.

Attorney Michael Fort said the trips are harmless and likened them to events held by the Tennessee Bar Association or American Inns of Court, an organization comprised of local chapters of lawyers, judges and other legal professionals.

"I don't understand the concern about it," he said.

It's common for lawyers' families to accompany them on the trips, Fort said.

"It's not a place for conversation on cases. You've got kids running around and swimming and (water) skiing," he said. "It's a place to let that guard down a little bit and personalize everybody."

Oglesby echoed those sentiments, saying the trips are "purely a social thing."

Story did not return a call for comment.

## Judges required to report some gifts

When a judge won't recuse themselves from a case, it's rare for higher courts to overrule them, said Richard Flamm, a California-based attorney who has published books on judicial and lawyer disqualification.

"When it comes to disqualifying judges, there never seems to be enough of a reason," Flamm said. "There's very little case law you can find when moving to disqualify a judge."

It's unclear whether attorneys paid for any of Judge Michael Binkley's expenses on the 2016 lake trip. If they did, that could prove problematic.



"If the attorney inviting the judge is paying for the lodging and the judge's meals, then the judge is accepting gifts of more than ordinary social hospitality," Flamm said. "That's improper."

Tennessee judges are required to report to the Administrative Office of the Courts certain gifts they receive from outside parties, including attorneys.

For example, a judge must report gifts valued at more than \$250. A judge must also report money received from "extrajudicial activities," such as giving a lecture or speech.

Binkley reported that he didn't receive any gifts in 2016 or 2017, according to public compensation reports filed with the Administrative Office of the Courts.

Rule 10 of the Code of Judicial Conduct says judges may accept "ordinary social hospitality," but does not elaborate on what that includes.

In other states, judges cannot accept gifts or go on paid trips with attorneys who are involved in a case over which those judges are presiding.

Louisiana judge Robin Free accepted an all-expenses-paid trip on a private jet to a Texas ranch in 2010 that was organized and paid for by attorneys with a personal injury case before the judge at the time.

Four years later, the Louisiana Supreme Court determined Free had violated its code of judicial conduct, and suspended him for 30 days without pay and imposed a \$7,000 fine, according to *Reveal News*, with the Center for Investigative Reporting.

In May, county court judge Maria Ortiz in Miami, Fla., agreed to pay a \$5,000 fine for failing to report free hotel stays and gifts she and her husband received, according to the *Miami Herald*. Florida judges are required to report all gifts that could give the public reason to question their impartiality.

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APPENDIX - 18

8/29/2019 JUDGE MICHAEL W. BINKLEY  
GRANTED ME (JEFF FENTON) PERMISSION TO OPENLY  
RECORD THE AUDIO THROUGHOUT THIS TRIAL/HEARING  
BEFORE I EVER EVEN TURNED ON MY DIGITAL  
VOICE RECORDER.

EXIGENT CIRCUMSTANCES  
T.R.A.P. RULE 24(g) A FAIR, ACCURATE, AND  
COMPLETE ACCOUNT OF WHAT HAPPENED IN TRIAL  
COURT IS BEYOND BELIEF WITHOUT THIS EVIDENCE!

AUDIO MARKERS NOTED AT THE START OF  
EACH PARAGRAPH.

T.R.A.P. RULES 36(a)(b) RELIEF OF ERROR  
+ #2 SUSPENSION OF RULES FOR GOOD CAUSE  
TO PROVIDE SOME RELIEF FOR ERROR!

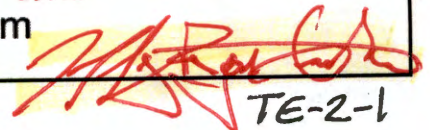
I JEFFREY RYAN FENTON SWEAR & DECURE  
UNDER THE PENALTY OF PERJURY: THAT THE AUDIO  
FILE "M2019-02059 TRANSCRIPT OF EVIDENCE-2b  
(audio).mp3", ALSO KNOWN AS "2019-08-29  
HEARING AT THE OLD COURTHOUSE - MICHAEL BINKLEY -  
VIRGINIA STORY - PRO SE.MP3" IS ORIGINAL,  
AUTHENTIC, AND A TRUE VERBATIM AUDIO RECORDING,  
MADE IN GOOD FAITH, AS IS EVIDENCED BY THE  
LEGAL TRANSCRIPT OF THIS SAME HEARING, BY  
LICENSED COURT REPORTER EMILY L. SIPE  
HEREIN. THE ONLY EDITING PERFORMED ON THIS AUDIO  
RECORDING WAS TO BALANCE + CURRY OUR VOICES.  
THE META-DATA WAS ALSO POPULATED TO IDENTIFY  
THE PARTIES + RECORDING. **H** NO STATEMENTS WERE ADDED TO  
OR SUBTRACTED FROM **H** THIS AUTHENTIC AUDIO  
RECORDING. HARPETH THE CONTENTS OF  
COURT REPORTERS

TESTIMONY HEREIN  
TO AND VERIFIED  
TRANSCRIPT.

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CAN EASILY BE COMPARED  
BY THIS LICENSED FRUIT





IN THE CHANCERY COURT FOR  
WILLIAMSON COUNTY, TENNESSEE

1  
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4 FAWN TIFFANY FENTON,

5 APPELLEE  
6 Plaintiff,

7 vs.

8 JEFFREY RYAN FENTON,

9 APPELLANT  
Defendant.

I JEFFREY RYAN FENTON  
SWEAR + DECLARE UNDER  
THE PENALTY OF PERJURY  
THE CONTENT HEREIN IS  
CORRECT + TRUE TO THE  
BEST OF MY KNOWLEDGE.

No. 48419B

COA:

M2019-02059-COA-

R3-CV

10 CRITICAL TO DETERMINING IF "AN IMPARTIAL TRIBUNAL".

11 TENNESSEE JUDGES MUST REFUSE THEMSELVES  
12 FROM PRESIDING OVER CASES IN WHICH THEIR  
13 IMPARTIALITY MIGHT "REASONABLY" BE QUESTIONED.  
14 THIS RECORDING WITH "FACT CHECKING" BINKLEY + STORY'S  
15 STATEMENTS + ACTIONS HERE HEARING  
16 PROVES BIAS, DISCRIMINATION, ABUSE BY PROCESS + ERROR.  
Before Judge Michael W. Binkley

15 EXIGENT CIRCUMSTANCES August 29, 2019 TRAP. 24(g)  
16 T.R.A.P. 36(a)(b) 11:20 a.m. Fair, accurate, complete account  
17 RELIEF OF ERROR T.R.A.P. RULE 2: GOOD CAUSE!

18 THIS AUDIO RECORDING IS NECESSARY TO ESTABLISH  
19 DETERMINE, AND PROVE THE CONTEXT, TONE, RESPECT,  
20 FORCEFULNESS, MANNER, CONCERN AND CARE SHOWN  
21 BY EACH PARTY, THROUGHOUT THE HEARING, WHICH  
22 SIMPLY IS NOT EVIDENT OR CLEAR BY READING THE  
23 TYPED TRANSCRIPT, WITHOUT HEARING THE ACTUAL  
24 WORDS SPOKEN.  
M2019-02059-COA-R3-CV

24 EQUAL ACCESS Reported by: TRAP Rule 36b  
25 TO JUSTICE? Harpeth Court Reporters EFFECT OF ERROR  
PROOF IS IN Franklin, Tennessee PLEASE ATTACH WITH  
AUDIO RECORDING Emily L. Sipe, RPR, LCR AUDIO TO RECORD  
"AS A TRANSCRIPT OF EVIDENCE"

PLEASE PROVIDE ME WITH COUNSEL SO I CAN TE-2-2  
TRY TO CURE A PORTION OF THE "EFFECT OF ERROR"  
WHICH BINKLEY + STORY DID CAUSE ME. THANK YOU!



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APPEARANCES:

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Pro se

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P R O C E E D I N G S

00:42.2 THE COURT: I want that to be in the Order because it's best that we put everything in the Order. This gentleman, he's going to share and pay one half of the per diem plus any expenses that he may incur as a result of asking for all or a portion of the transcript that will be ordered by him. Okay?

All right. Ms. Story?

01:19.4 MS. STORY: Your Honor, the motion that we are here on today is a motion for violation of the order of the court that was August 14th of '19. And after the order was entered, there was a pretty scary communication from Mr. Fenton. I am not here today to argue about that motion necessarily. The more pressing matter -- and that was his response, that is the lengthy response we received this morning. It deals more with the issues of why he made those statements and those type of things.

02:05.7 But the more pressing issue, Your Honor, was the deadlines for getting this house sold. So having leased the property, 1986 Sunnyside Drive in Brentwood, you ordered that it be sold by auction. You ordered the attorneys to select an auctioneer, which we did, and we got a referral from the chancery court clerk's office. And it ended up it was Pat

1 Marlin, who was actually a Realtor, but he does  
2 auctions and he used the services of Clyde Anderson.  
3 You know Clyde. He had done auctions for many years  
4 around here. And his son, Tommy Anderson, is now in  
5 the business. So Mr. Anderson went out to the  
6 property with Ms. Fenton, Mr. Fenton. We had some  
7 difficulty with the scheduling date, but we were able  
8 to get into the house. And Mr. Anderson, Mr. Duke,  
9 who was Mr. Fenton's previous lawyer, and Ms. Yarbrow  
10 from my office went to the property. Ms. Fenton  
11 tagged the items like your Order told her to, and it  
12 was our understanding that Mr. Fenton would be out of  
13 the house by September 1. He said he was going to  
14 Michigan and that's where his, I think, his mother  
15 lives. I <sup>know</sup> think his father has a lake home in  
16 Tennessee. That's where we thought maybe it would be  
17 more logical for him to go, but that is up to him  
18 where he wants to go.

19 03:49.1 What is obvious, Your Honor, is you're  
20 going to have to set a date for him to be out. The  
21 order said it would be auctioned 45 days from  
22 August 1st, and so that would be -- this is in your  
23 order of August the 16th. It would be 45 days from  
24 the date of August 1st, the marital residence would be  
25 sold by auction. And I have the auction contract here



1 for Mr. Fenton to sign, and I'm asking him to do that  
2 today. If for any reason he refuses to sign, I'm  
3 asking the court to put in the order that Ms. Fenton  
4 have the authority to execute any and all documents  
5 necessary for Mr. Anderson to get his property sold.

6 **04:45.4** The other thing I think is important,  
7 Your Honor is --

8 **04:48.5** THE COURT: What do you suggest as a  
9 deadline again?

10 **04:49.8** MS. STORY: It was in the Order already.  
11 It was September 15th. He said that he was moving  
12 September 1st. That is Sunday.

13 **04:59.8** MR. FENTON: That was my tenants move out  
14 by then, and then I had 45 days was for me.

15 **05:05.4** MS. STORY: That is not true. He said  
16 that he had 45 days after September 1st to move, but  
17 that wouldn't even make sense.

18 **05:12.0** THE COURT: Okay. Well, what does the  
19 Court Order say? Because I'm going to stick with  
20 that.

21 **05:15.6** MS. STORY: The Court Order says, "The  
22 motion to sell marital residence by auction is granted  
23 and the same shall be auctioned within 45 days from  
24 the date of August 1st."

25 **05:27.9** THE COURT: Okay.

1           **05:29.5**   MS. STORY: So he's got to be out for  
2 them to get this place ready to go.

3           **05:34.1**   THE COURT: All right. What date do you  
4 suggest?

5           **05:36.7**   MS. STORY: I have seen correspondence  
6 where he said September 1st. Now he's saying he  
7 can't. So I would suggest September 3rd, which is  
8 next Tuesday. And I would like the Order to reflect  
9 that the Williamson County sheriff's department will  
10 accompany him. And at this point --

11           **05:58.5**   THE COURT: You mean off the property?

12           **06:00.5**   MS. STORY: Off the property. And I  
13 don't think he needs to take any property.

14           **06:04.4**   What he did, Your Honor, in this response  
15 he filed, they had a TV that -- a Sony TV, a big  
16 screen, that my client's brother had given her. He  
17 now tells me in this response that he sold it for  
18 \$1,000. And then the other thing, there was a  
19 dehumidifier in the basement that was like a \$2,500 to  
20 3,500 dehumidifier for moisture. He sold that. So if  
21 you let him take anything out at this point it's going  
22 to be sold and he's dissipating marital assets, which  
23 would be in violation of the restraining order.

24           **06:45.5**   And at this point Mr. Anderson, he can  
25 tag everything, they can video everything. We will

*They can video all the property*



1 not disturb anything. If we have to use proceeds to  
2 get a storage unit, we will do that for Mr. Fenton's  
3 belongings. Mr. Fenton, in his response says he has a  
4 fear of heights. And so driving to Michigan, he has  
5 to drive over the Cincinnati bridge.

6 **07:12.5** MR. FENTON: Yeah. That's really hard  
7 for me.

8 **07:14.4** MS. STORY: And so he says he can't drive  
9 a U-Haul over it. So if we can just let him take his  
10 clothing, his jewelry, his personal effects, whatever  
11 he needs that he can pack in his car, and not have to  
12 drive a U-Haul of furniture at this point, that might  
13 be the best thing to do.

14 **07:33.1** MR. FENTON: Where is my furniture going  
15 then?

16 **07:36.1** THE COURT: Wait a minute. We're doing  
17 this one at a time. *Laughter*

18 **07:39.3** MR. FENTON: I'm sorry.

19 **07:41.5** THE COURT: Go ahead.

20 **07:42.1** MS. STORY: If he will tag the items that  
21 he wants, like my client tagged the items per your  
22 order, if he'll just put a tag on items he wants,  
23 we'll make sure that those get stored, and then we can  
24 use the proceeds from the sale. We're going to  
25 deposit those into the clerk's office. And we can use



1 those to pay the next storage unit and then when he  
2 gets ready to come here and get his things, or maybe  
3 he wants to use some of his proceeds to have them  
4 shipped to him since he, you know, does have a fear of  
5 driving the U-Haul.

6 **08:16.4** So I'm trying my best to be as  
7 accommodating to him and considering his condition  
8 that, you know, this is going to be a simple process  
9 for him. He can take his clothes, his personal  
10 property, be out September 3rd. We will tag  
11 everything, take care of it. Mr. Anderson is not  
12 going to destroy property. That's all I'm asking for.  
13 And if he would sign the listing agreement today and  
14 we put in the order that it be -- that she have the  
15 authority to sign any other necessary documents in  
16 case he does go to Michigan. It would be a little  
17 bit, logistically, difficult to do that.

18 **08:56.6** THE COURT: What do you want me to do  
19 with this violation of the Order?

20 **08:59.8** MS. STORY: Just continue it. We can  
21 just reset that portion of the motion. He just filed  
22 a response today. I'm fine to -- the ex parte remains  
23 in effect anyway under the Order of the Court, and I  
24 have not seen any further violations of that Order.  
25 The selling of the marital property is a concern to me

1 but I can deal with that at final hearing. One of the  
2 things, too, is you might want to waive mediation in  
3 this case. I have requested in my motion that  
4 mediation be waived. There is an Order of Protection  
5 where they are not to be around each other. It would  
6 be difficult for a mediator to accommodate that. And  
7 I think that it really is just settling personal  
8 property. They don't have any -- and then whatever  
9 comes from the proceeds. They have no children.

10 **09:45** THE COURT: That's granted.

11 **09:48.2** Okay, sir, let me talk to you about one  
12 thing. We're narrowing the issues before the Court  
13 today.

14 **09:56.6** MR. FENTON: Okay.

15 **09:57.5** THE COURT: We're not going to be talking  
16 about the violation of the Order of Protection.  
17 That's going to be reset. So all of these documents  
18 you have don't apply to today.

19 **10:06.5** MR. FENTON: Well, the back portion of  
20 them does talk about the marital residence but there  
21 is a lot of it about what you're saying, yes.

22 **10:13.5** THE COURT: Now, let me just <sup>say</sup> ~~tell you~~.  
23 this -- and I just want to be clear about this. ← I  
24 don't want to get into an emotional discussion about  
25 what I will do and what I won't do. Let me just tell

*can't understand her*



1 you how it, works. Once I put a Court order down, I  
2 really expect people to obey it.

3 **10:34.4** MR. FENTON: Yes.

4 THE COURT: And so the only way a judge  
5 can enforce a Court order if someone refuses to do it,  
6 and we're seeing it more and more, people are doing  
7 what they want to do and not really paying attention  
8 to a Court order. And I'm taking the time to tell you  
9 this because I don't want you and me to have problems  
10 with this.

11 **10:55.3** MR. FENTON: No.

12 **10:56.5** THE COURT: And let me tell you, my  
13 personal feeling is, as a judge, a judge who does not  
14 back up his or her Court order is worthless.

15 **11:06.2** Now, if you have a reasonable excuse for  
16 disobeying an order, I will certainly hear it. And  
17 the last thing I want to do is put someone in jail for  
18 violating an order.

19 **11:18.4** MR. FENTON: Yes. And that's the last  
20 thing I want, too.

21 **11:20.6** THE COURT: Sure. Right. And so you and  
22 I have an understanding. And so you don't know me but  
23 I do mean what I say.

24 **11:26.8** MR. FENTON: I believe that.

25 **11:28.7** THE COURT: Okay. Good. And so we can

1 dispense with the rest of that.

2 11:32.1 MR. FENTON: And just as a question, were  
3 we saying that I disobeyed the Court order? Because I  
4 had --

5 11:38.9 THE COURT: No, no, we don't have  
6 anything like that really in front of us but --

7 11:43.5 MR. FENTON: Okay.

8 11:44.9 THE COURT: But let me tell you what I'm  
9 going to do here because we have to get moving.

10 11:48.9 MR. FENTON: Right. Can I still tell a  
11 little bit of my side before you rule on all of that?

12 11:56.6 THE COURT: Briefly.

13 11:58.0 MR. FENTON: Okay. So basically on my  
14 side, the narrative that has been brought to the Court  
15 so far is completely fraudulent about my person, about  
16 who I am, about me being violent. All of this stuff.  
17 The documentation that I provided you with shows that  
18 my wife is a highly skilled handgun instructor who  
19 owns assault weapons, has 5,000 rounds of ammunition  
20 under her bed. I mean, she is trained by the NRA,  
21 certified by the State of Tennessee to do rape  
22 prevention, pepper spray, everything. So the whole  
23 guise of feeling physically endangered was not -- she  
24 tried to do that with her first attorney -- *she called the police*

25 12:43.1 THE COURT: We're not dealing with that  
*(interrupted)*



1 today.

2 **12:45.2** MR. FENTON: I know. But that's  
3 basically the tone under which everything else is laid  
4 and that's --

5 **12:50.2** THE COURT: I practiced law for 35 years.  
6 Long, hard years in the trenches.

7 **12:55.1** MR. FENTON: Right.

8 **12:55.7** THE COURT: I am trained to separate  
9 things in my mind that are important --

10 **12:58.4** MR. FENTON: Okay.

11 THE COURT: -- and things that are  
12 unimportant. And I'm not trying to be rude to you,  
13 but you've got to trust me here. If you were a  
14 lawyer, I would be telling you the same thing. I  
15 would be saying, "Lawyer, that's not relevant to me  
16 right now."

17 **13:13.1** MR. FENTON: Right.

18 **13:14.0** THE COURT: I don't really care about all  
19 that. That's for another day. But let me just tell  
20 you this.

21 **13:18.4** MR. FENTON: Okay.

22 **13:19.6** THE COURT: These are real easy issues.  
23 I have got to put an order down for you to be out of  
24 that house.

25 **13:27.6** MR. FENTON: I understand that.

1           13:28.7    THE COURT:   On September 3rd.

2           13:30.0    MR. FENTON:   Can I speak a little more  
3 first?

4           13:31.8    THE COURT:   No.

5           13:33.6    MR. FENTON:   I can't be out that quick,  
6 Your Honor.   Everything that I own is left in personal  
7 property.   To say that I just take my clothes and lose  
8 everything I've owned all my life is not fair.   That  
9 is not at all fair.   And I don't mean to be hard.   I'm  
10 willing to do things as quick as possible, but I  
11 cannot possibly move out without a two-week's time to  
12 do it.   And I need to have some time where I know that  
13 there is not going to be anymore litigation for a  
14 while because I can't -- with the ADHD -- and one of  
15 the things I provided you is something from my  
16 psychiatrist on the different disorders I have, but I  
17 cannot physically do -- be a lawyer, play a lawyer,  
18 and packing at the same time.   For example, that's *I spent the last week*

19           ~~14:19.~~ 14:17.5    THE COURT:   Sir, I respect that.   But we  
20 all have burdens.

21           14:21.8    MR. FENTON:   Well --

22           14:21.9    THE COURT:   Let me talk.   We all have  
23 burdens.   Everybody in this room has things going on  
24 in their lives to one extent or another, just like you  
25 do.



1           **14:31.6** MR. FENTON: Right.

2           **14:32.8** THE COURT: I can't make excuses for  
3 that. Listen to what I'm saying. I don't want you  
4 and I to get crossways with each other. We have to  
5 get a date set. I'm not going to make it two weeks.

6           **14:46** MR. FENTON: Well, originally we had said  
7 the 45th, and that's when I understood that date that  
8 I had to be out. And I never communicated with her  
9 anything other than that. You had said 30 days for my  
10 roommates and that's what I always thought it was.  
11 And originally my understanding was I was staying  
12 there while I was selling the property so I could stay  
13 there till closing. Now, I understand that's not my  
14 preference and I understand it's not their preference.  
15 I'm willing to do that different, but I need to  
16 have -- I have 3,000 square feet of stuff.

17           **15:16.9** THE COURT: What about another day in  
18 September? The first week in September?

19           **15:23.0** MS. STORY: And, again, we're not going  
20 to dispose of any of his personal items.

21           **15:26.8** THE COURT: They're not taking anything  
22 out of there. Do you understand that, sir?

23           **15:28.6** MR. FENTON: My understanding is --

24           **15:29.5** THE COURT: Whoa, whoa.

25           **15:30.5** MR. FENTON: No, I don't understand.

1           **15:32.2** THE COURT: Your personal property. Your  
2 clothes. Personal property being like your watch.

3           **15:39.2** MR. FENTON: Furniture. That's all.

4           **15:39.7** THE COURT: No.

5           **15:40.1** MR. FENTON: We already agreed when me  
6 and my wife split it up that the house was mine. What  
7 she came and tagged is hers.

8           **15:47.5** THE COURT: This isn't working. What you  
9 want to do is be a lawyer.

10           **15:55.8** MR. FENTON: No, I don't. I can't afford  
11 a lawyer.

12           **15:58.7** THE COURT: I'm talking right now. This  
13 is not a barroom. I have to maintain order.

14           **16:06.2** MR. FENTON: Uh-huh.

15           **16:06.9** THE COURT: I don't want you to get your  
16 feelings hurt, but if you get your feelings hurt,  
17 that's your business. I have got to maintain the  
18 integrity of this hearing. You need to quit  
19 interrupting me. And I'm going to make a ruling and  
20 you're going to have to stick with it.

21           **16:20.4** MR. FENTON: Yeah.

22           **16:22.4** THE COURT: All right? You are going to  
23 have to.

24                           We are not touching any of the furniture  
25 and furnishings. You are to tag the items that you

**16:28.9- Jess<sup>A</sup>- So what happens**



1 would like to have. Go buy some little tags, you  
2 know.

3 **16:37.4** MR. FENTON: But I wanted to take them  
4 with me so I'm only going over the bridge one time.  
5 That's what I was saying.

6 **16:42.8** THE COURT: Well, I know that you would  
7 like to do that but we're not doing that. Okay?  
8 That's not the fair way to do it. And I'm not going  
9 to sit here and explain to you why it's not because  
10 it's part of the law that you assume when you stand up  
11 and start representing yourself. Assume that you  
12 know.

13 **16:57.1** MR. FENTON: Okay. Then I would  
14 rather --

15 **16:58.3** THE COURT: I can't talk while you're  
16 talking.

17 **17:05.1** MR. FENTON: Okay. I'm sorry. I would  
18 rather stay in the house during the auction with that  
19 being the case. But the only reason I was going to  
20 leave ahead of time --

21 **17:10.6** THE COURT: You're not going to stay in  
22 the house.

23 **17:12.1** MR. FENTON: I'm not going to stay in the  
24 house?

25 **17:13.3** THE COURT: No, sir. You're going to

1 leave by September 3rd noon, and you've got to be out  
2 of there or the sheriff will escort you off the  
3 property.

4 **17:20.6** MR. FENTON: So have I done wrong to  
5 receive that kind of treatment, Your Honor? I mean,  
6 my wife had two months to move out. ? words

7 **17:30.1** THE COURT: Sir, we have already talked  
8 about all that. We had a previous hearing. We have a  
9 previous Court Order. You're representing yourself.  
10 You're assuming to know everything we've already  
11 talked about. I'm not going to go over it with you  
12 and spend four hours --

13 **17:42.9** MR. FENTON: I understand.

14 **17:43.9** THE COURT: Excuse me. Trying to be nice  
15 to you when you are presumed to know and understand  
16 what we have already done. I'm trying my best to be  
17 patient with you and you're trying my patience. I'm  
18 just letting you know.

19 **17:59.1** MR. FENTON: I'm not trying to -- my last  
20 counsel had told me --

21 **18:01.9** THE COURT: Sir, I'm not interested in  
22 what your counsel told you. I'm sorry. It's not  
23 important to me at this point.

24 Now, let's go back to what I was saying.  
25 I want you out of the house by 12 noon September 3rd.



1 If you're not out, the sheriff will escort you off the  
2 property. Do you understand that?

3 **18:21.4** MR. FENTON: Yeah.

4 **18:22.2** THE COURT: Number two, you are not to  
5 take with you any furniture, any furnishings, anything  
6 like that. All of that is going to remain in the home  
7 for now. You are to tag the items that you would like  
8 to have. That doesn't mean you're going to get them,  
9 but that you -- may I finish, please?

10 **18:42.** MR. FENTON: Uh-huh.

11 **18:43.6** THE COURT: Is that a yes?

12 **18:44.1** MR. FENTON: Yes, sir.

13 **18:45.3** THE COURT: You are to tag the items that  
14 you would like to have.

15 **18:48.8** MR. FENTON: Uh-huh.

16 **18:51.8** THE COURT: In addition, you're to sign  
17 this contract today.

18 **18:59.6** MR. FENTON: On the last Court Order you  
19 said that I could take my stuff with me after the  
20 ten-day walkthrough. That's what your last Court  
21 Order said, and I would like to be able to do that.

22 **19:41.3** THE COURT: The day that you leave or  
23 that you have -- you have between now and  
24 September 3rd to get your personal items and you out  
25 of there.

1 19:21.2 MR. FENTON: Yeah.

2 19:23.0 THE COURT: Do you understand that? <sup>23.7 Jeff-My Furniture too2</sup> ^ Your  
3 personal items, sir. You're not stupid. Listen,  
4 please. Your personal items are your clothes, your  
5 personal jewelry, and that's it.

6 19:36.9 MR. FENTON: My bed or my furniture?

7 19:38.9 THE COURT: No, sir. I'm going to say it <sup>Jeff in background</sup>  
8 for the third time. No furniture, no furnishings, no  
9 nothing.

10 19:46.7 MR. FENTON: That's not what you said in  
11 the last order.

12 19:49.3 THE COURT: Sir, you're not paying  
13 attention. You're not listening to what has happened.  
14 You're not paying attention to anything. And I'm not  
15 going to spend three or four hours here at the -- just  
16 trying to be nice to you and go through everything  
17 again. I'm just not going to do that. You're  
18 expected to know all of this.

19 Now, you're choosing to represent  
20 yourself. There's not a thing that I can do about  
21 that.

22 20:14.1 MR. FENTON: I -- <sup>don't have the H background</sup>

23 20:17.1 THE COURT: Excuse me. I'm talking.

24 When you choose to represent yourself,  
25 you take it upon yourself to know all of the rules,



1 the law, everything.

2 **20:31.1** Now, that doesn't sound fair but that's  
3 part of why we have to do it. We can't sit here and  
4 be your lawyer for you and start explaining things to  
5 you.

6 **20:38.8** MR. FENTON: Okay.

7 **20:39.2** THE COURT: I will try to be as  
8 accommodating and as nice to you as I possibly can. I  
9 don't think you're accepting that very well.

10 **20:47.1** MR. FENTON: I'm not trying to be  
11 stubborn.

12 **20:49.4** THE COURT: You're trying to fuss with me  
13 and argue with me and that's not what we're going to  
14 do today.

15 **20:53.1** MR. FENTON: I'm not trying to fuss and  
16 argue with you. It's not what I understood your last  
17 order to be. **+ it wasn't...**

18 **21:01.5** THE COURT: I'm going to go over it one  
19 more time. **and then this is the last time**

20 **21:04.3** MR. FENTON: I heard you, **Your Honor, you don't have**

21 **21:05.4** THE COURT: No. I don't want there to be  
22 any misunderstanding because you have interrupted me  
23 several times.

24 **21:09.8** MR. FENTON: Can I say one thing?

25 **21:13.1** THE COURT: No. Listen. Don't try my

1 patience.

2 **21: 17.2** MR. FENTON: I'm not trying to.

3 **21: 18.5** THE COURT: Yeah, you are.

4 **21: 19.3** MR. FENTON: No, I'm not.

5 **21: 20.5** THE COURT: Well, quit being rude. This  
6 is what we're doing. You're going to sign this  
7 contract now. Give it to him, Ms. Story.

8 **21:45.1** You are to be out of the house. Do not  
9 take any furniture, furnishings, or anything. But  
10 you're to be out September 3rd at noon. The only  
11 thing you can take with you -- I'm saying this for the  
12 fourth time because I don't want there to be a  
13 misunderstanding. This is going to be a court order.  
14 Now, items that you would like to have, that doesn't  
15 mean you're going to get them, tag them. Put a tag on  
16 them. Go to the 5 and 10 store, get some red tags,  
17 whatever, and say I want this. Post it. Or just put  
18 "H" on it, or something like that. Just commonsense.

19 **22:22.2** Wait a minute. I'm not through.

20 **22: 26.5** There will be a deputy there to make sure  
21 that you followed the Court Order and do what you're  
22 supposed to do. That means -- let me finish. You  
23 keep wanting to interrupt. You're not listening to  
24 what I'm saying. You're thinking about what you're  
25 going to tell me. And then I don't want you coming in



1 and say, Judge, I didn't really understand that.

2 **22:53.6** Because I've been down this road with  
3 folks who represent themselves. They don't get it.  
4 They don't understand, and then they whine and  
5 bellyache and come back and say that just wasn't fair.  
6 Fair is something you do in the fall. This is a  
7 courtroom. You are expected to know the rules. I am  
8 trying to be as cordial and as nice to you as I can  
9 but you're not letting me. All right.

10 **23:21.4** ~~23:21.4~~ You signed the agreement, you understand  
11 that you're to be out September 3rd at 12 noon, no  
12 later. Not one minute later. You're to tag the items  
13 that you would like to have before you leave. Do you  
14 understand that?

15 **23:35.4** MR. FENTON: Yes, sir.

16 **23:38.7** THE COURT: Do not, in the meantime, move  
17 anything else out of that house. Do not sell  
18 anything. Do you understand me?

19 **23:45.6** MR. FENTON: Uh-huh.

20 **23:47.3** THE COURT: Is that a yes?

21 **23:47.9** MR. FENTON: Yes. Yes, Your Honor.

22 THE COURT: Well, "uh-huh" doesn't --

23 **23:50.2** MR. FENTON: I'm sorry. Yes, Your Honor.

24 **23:51.9** THE COURT: We're not in the bar. We're  
25 in the courtroom.



1           **23:53.3** MR. FENTON: Okay.

2           **23:57.9** THE COURT: All right. What else,  
3 Ms. Story?

4           **23:58.1** MS. STORY: That'll do it. We can  
5 account for the items he sold at a later time and  
6 address that.

7           **24:03.3** MR. FENTON: Can I make a comment about  
8 those, Your Honor?

9           **23:05.2** THE COURT: No.

→ 10          **23:05.3** MR. FENTON: That is before this was in  
11 Court.

12          **24:09.4** THE COURT: No, sir. I'm sorry. I've  
13 got to have a tight rein on this case. I knew that  
14 there were going to be problems at the beginning and  
15 I'm going to keep a tight rein and whatever I need to  
16 do to maintain the integrity of these Orders to  
17 maintain the integrity of this lawsuit, and for you to  
18 understand what your role is as a litigant  
19 representing themselves. I'm going to have to keep a  
20 tight rein on you. I would love to be nice --

21          **24:35.9** MR. FENTON: ~~I'm not -- at this point?~~

22          **24:39.8** THE COURT: <sup>I just want it to be</sup> Let me finish. Let me <sup>fail.</sup>  
23 finish.

24          **24:40.6** That would be much easier but you won't  
25 let me do it. So anything else, Ms. Story?



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**24:45.4** MS. STORY: Since he probably will be moving to Michigan, I would be amenable to him attending the final hearing by telephone if he doesn't want to drive back. And I can tell you, I will try to accommodate him in any way I can.

**25:02.5** THE COURT: I know you will. You already have.

**25:06.3** MS. STORY: And, also, the order probably needs to say that Ms. Fenton can execute any other documents that need to be executed because he might not be here to sign anything, that Mr. Anderson might need signed. So I would like to be able to put that in the Order.

**25:20.6** THE COURT: All right. Then if you'll prepare the Order, that'll take care of us. That's what we're doing. That's the Order of the Court. Thank you very much.

**25:27.4** (Proceedings were adjourned at 11:44 a.m.)



APPENDIX - 19

REQUEST FOR MODIFICATION

Applicant requests accommodation under Tennessee Judicial Branch Policy 2.07

Applicant Information

Applicant is: \_\_\_ Witness \_\_\_ Juror \_\_\_ Attorney X Party \_\_\_ Other (Specify Nature of Interest): \_\_\_

Name: JEFFREY RYAN FENTON  
Telephone: (615) 837-1300  
Address: 17195 Silver Parkway, #150  
Fenton, MI 48430-3426

Court: COURT OF APPEALS OF TENNESSEE  
MIDDLE DIVISION (AT NASHVILLE)  
Judge: \_\_\_\_\_  
Case No.: M2019-02059-COA-R3-CV

1. Type of proceeding. \_\_\_ Criminal X Civil  
2. Proceedings to be covered (e.g., bail hearing, preliminary hearing, particular witnesses at trial, sentencing hearing, motion hearing, trial): Appeal of Forced Sale of Home, Divorce Judgment, Stalking Charge, and Order of Protection

3. Dates modification needed (specify): Currently – Throughout Appeal

4. Disability necessitating modification (specify): Obsessive-Compulsive Personality Disorder (OCPD) DSM-5 301.4 (F60.5), Attention-Deficit Hyperactivity Disorder (ADHD) DSM-5 314.01 (F90.2), Generalized Anxiety Disorder (GAD) DSM-5 300.02 (F41.1), Circadian Rhythm Sleep Disorder (CRSD) Non-24-Hour Sleep-Wake Disorder (Non-24) DSM-5 307.45 (G47.24), Poverty, Forced Geographic Distance from Court

5. Type of modification requested (specify): Procedural and Technical Flexibility, Additional TIME for Deadlines to Self-Represent by Necessity, Communication Modifications due to COVID-19 and Excessive Mailing Times to Michigan, Judgment Based Upon the LAWS – not just the Technical Codes which I am Knowledgeable about, or able to Research and Cite (ignorance about the law is no excuse for breaking it, hence it shouldn't be for being protected by the law either). Please Judge based upon the SPIRIT of the Law, not just the Technical Manipulation of Words used to Express, Define, and Communicate it. Thank you!

6. Special requests or anticipated problems (specify): Additional TIME and Patience please. By disorder I'm a Perfectionist who has a nearly impossible time Focusing and Remaining On Task, especially when of Significant Consequence. Yet I can't afford to hire anyone to help Represent me. I also request that all Court Communications please be sent to me Electronically, via Email or Fax (I setup a dedicated fax number for the court), because it often takes a WEEK to receive Mail here in Michigan, plus in-house handling times. My Email is jeff.fenton@live.com, and my dedicated fax number for the court is (810) 255-4438.

7. Significant problem and request for Court Oversight, Accountability, Advocacy, and Assistance: I strongly believe that the narrative driving the basis for ALL the actions levied against me so far by the opposing counsel (Ms. Story) has been largely FALSE, Intentionally Deceptive, Bombarding me from every angle simultaneously, specifically to Exploit my Known Disabilities, to Strategically Devastate me, using HARRASSMENT BY LEGAL PROCESS (malicious litigation). Combined with Ms. Story's Reputation, Resources, and Relationships, I don't believe that I ever had a chance at a Fair Trial. Ms. Story BOUND me

PLEASE USE TENNESSEE ADA UNTIL I CAN FILE.  
(TIME)  
Thanks!  
*[Signature]*



with an OP obtained under False Testimony, then TOOK and DESTROYED everything of substance, which I have ever owned, in just two months.

8. To substantiate my claims about legal inequality and unfairness: During my trial on August 29<sup>th</sup>, 2019, at "The Old Courthouse" in Franklin, as is recorded in VOLUME-4 of my Technical Record, Page-516, Line-6, the Judge told me, "Fair is something you do in the fall."

Despite my many requests that the Court Differentiate this as a "Transcript of Evidence", it remains buried in my Technical Record, even though the Judge procured the Court Reporter himself. The remainder of that same transcript clearly reveals how open, objective, and impartial, the Court remained, amidst my Testimony versus Ms. Story's. I beg you look and see for yourself! Your intervention is requested and seriously needed!

Documentation provided by my Psychiatrist and my Psychotherapist is included to prove that I have the disabilities listed, as well as a real need for the modifications sought herein.

My request for a 60-Day extension, for filing my Brief, will follow; but for the sake of TIME, since I am so SLOW at this, I am sending this Request for Modification separately. Thank you!

I hereby certify that the above information is true and correct to the best of my knowledge.

Date: 7/8/2020

  
(Signature of Applicant)

G The request for modification is **GRANTED**.

G **OFFER OF REASONABLE ALTERNATE MODIFICATION** \_\_\_\_\_

G The request for modification is **DENIED** because:

- the applicant is not a qualified individual with a disability
- the requested modification would fundamentally alter the nature of the judicial program, service or activity
- the requested modification would create an undue financial or administrative burden
- the applicant refused to comply with the Policy
- the applicant's failure to comply with the Policy makes impossible or impracticable the ability to provide the requested Modification

(Specify) \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
Local Judicial Program ADA Coordinator

**APPEALS**

G Presiding Judge Review requested. (Specify reason and the remedy you want): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_  
(Signature of Person Requesting Review)

**PRESIDING JUDGE REVIEW**

I have reviewed the original request for modification, the offer of alternate modification OR the denial of modification and the reason for the denial, and the reason that this review has been requested and find as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_  
PRESIDING JUDGE

G Administrative Office of the Courts Review requested. (Specify reason and the remedy you want): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_  
(Signature of Person Requesting Review)

**ADMINISTRATIVE OFFICE OF THE COURTS REVIEW**

I have reviewed the original request for modification, the offer of alternate modification OR the denial of modification and the reason for the denial, and the reason that this review has been requested and find as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_  
AOC DIRECTOR



**Radnor Psychiatric Group, PLC**

5123 VIRGINIA WAY  
SUITE C-11  
BRENTWOOD, TENNESSEE 37027

Telephone: (615) 373-5205

Fax: (615) 373-5165

July 19, 2019

To Whom It May Concern:

RE: Jeffrey Fenton, DOB: 10/08/19/69

Jeff Fenton has been a patient under my care since February 2012. He has been diagnosed with a Generalized Anxiety Disorder, Attention Deficit Disorder, and some Obsessive Compulsive Personality traits. He has been compliant with both his psychiatric medications prescribed and his individual psychotherapy with Terry Huff, LCSW.

The symptoms of his illnesses have interfered with his ability to maintain employment, despite compliance with our treatment recommendations. His condition does not predispose him to any violent behavior and, to my knowledge, he has not been involved in any violent behavior since being a patient under my care.

If you have any further questions regarding his diagnosis, treatment, or prognosis, please contact me with his permission.

Sincerely,



Richard E. Rochester, M.D.

Terry M. Huff, LCSW  
Suite 134  
5115 Maryland Way  
Brentwood, TN 37027  
615-627-4191  
[terrymhuff.com](http://terrymhuff.com)

August 28, 2019

To Whom it May Concern:

I'm writing at the request of my client, Mr. Jeff Fenton, to explain his mental health challenges and their effects on his general functioning. I am licensed as a clinical social worker in Tennessee, and I have a private psychotherapy practice in Brentwood. I have been providing psychotherapy services for thirty years. My specialty is in helping adults with attention deficit hyperactivity disorder (ADHD).

I began seeing Mr. Fenton May 3, 2018. His primary concerns for which he sought my help were marital problems and effects of his ADHD. He has a history of particular difficulties with occupational functioning due to extraordinary perfectionism and getting lost in details, which contribute to inefficiency and missed deadlines. This particular challenge, along with certain other features, are consistent with symptoms of obsessive compulsive personality disorder. ADHD and OCPD have been the focus of Mr. Fenton's psychotherapy. He also has specific phobias and social anxiety, which have not been the primary focus in therapy.

ADHD is a neurological condition that makes it difficult to manage one's attention and inhibit impulses. It is often misperceived as an inability to focus rather than difficulty managing and shifting the focus of one's attention. Adults with ADHD often have difficulty returning to open awareness when locked into a focused state of awareness. They often have trouble activating and sustaining effort on monotonous tasks, organizing and prioritizing tasks, keeping track of items needed for tasks, estimating and tracking time, managing emotions skillfully, inhibiting speech and action (tending to talk excessively and interrupt others), and inhibiting impulses.

Obsessive Compulsive Personality Disorder is characterized by "preoccupation with orderliness, perfectionism, and mental and interpersonal control, at the expense of flexibility, openness, and efficiency," according to the DSM-5 (Diagnostic and Statistical of Mental Disorders - 5th edition). Individuals with this disorder try "to maintain a sense of control through painstaking attention to rules, trivial details, procedures, lists, schedules, or form to the extent that the major point of the activity is lost." They may get so caught up in the details of a project that they don't complete it, or they miss deadlines. If can take them a long time to complete a task due to this excessive preoccupation with details. They are often "inflexible about matters of morality, ethics, or values and may force themselves and others to follow rigid moral principles and very strict standards of performance." They often have trouble delegating tasks to others, as others must conform to their way of doing things. Those tasks must be done "correctly." They tend to "plan ahead in meticulous detail and are unwilling to consider changes." Their ability to compromise may be compromised by the inflexibility. They are uncomfortable with relationships and situations in which they are not in control or where they must rely on others. They are uncomfortable with the unpredictable.



One effect of the OCPD is Mr. Fenton's communication when dealing with conflict. His excesses in speech and writing can appear imposing or hostile. He acknowledges his compulsion to communicate excessively. The compulsion is driven by an undercurrent of unsettled feelings that persist until he is certain there is no possibility of being misunderstood. This pattern is consistent with the disorder (OCPD). His effect on others—i.e., anyone receiving the excess of communication—is often lost on him, as his attention is locked into the effort to be understood. Consequently, those efforts are experienced by others as intense and sometimes hostile.

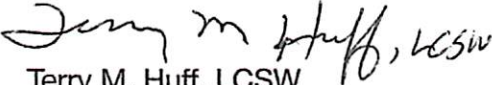
Mr. Fenton is aware that he has more work to do on this problem. He recently requested that we focus less on the present crisis and more on managing the challenge of coping effectively with the symptoms ADHD and OCPD, and decreasing self-defeating behavior. Due to both conditions, Mr. Fenton's excessive attention to what he wants to communicate obstructs him from being aware, in a given moment, of effects of his efforts (e.g., the impact of the volume of his voice when speaking, or the volume of information when writing).

Mr. Fenton has been forthcoming in psychotherapy sessions and has been open and willing to be challenged with respect to his symptoms and their effects. He acknowledges mistakes when they are pointed out and is working to understand how his best intentions sometimes go awry, and his persistent efforts can be self-defeating.

Mr. Fenton has never expressed any intention of harming himself or others during the sixteen months that I have known him. I have never had reason to suspect any intention to harm himself or others. He has participated frequently in a support group for adults with ADHD. He has participated actively and has offered help to others in the group.

Thank you for consideration of the role that mental health and disability have played out in Mr. Fenton's life and relationships. His participation in psychotherapy and related services will continue.

Respectfully,

  
Terry M. Huff, LCSW

---

*Obsessive-Compulsive Personality Disorder (OCPD) DSM-5 301.4 (F60.5)*

*Generalized Anxiety Disorder (GAD) DSM-5 300.02 (F41.1)*

*Attention-Deficit Hyperactivity Disorder (ADHD) DSM-5 314.01 (F90.2)*

*Circadian Rhythm Sleep Disorder (CRSD) Non-24-Hour Sleep-Wake Disorder (Non-24)  
DSM-5 307.45 (G47.24)*

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**Radnor Psychiatric Group, PLC**

5123 VIRGINIA WAY  
SUITE C-11  
BRENTWOOD, TENNESSEE 37027

Telephone: (615) 373-5205

Fax: (615) 373-5165

November 1, 2018

RE: Jeffrey Fenton, DOB: 10/08/1969

To Whom It May Concern:

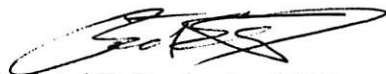
Jeffrey Fenton has been a patient under my care since 2012. He is treated for a severe Generalized Anxiety Disorder, Attention Deficit Disorder, and suffers from an Obsessive Compulsive Personality Disorder. He also has specific phobias regarding weather, driving across bridges, and flying, along with obsessive concerns over his health.

His symptoms of severe anxiety, obsessive worry, preoccupation with details and rules, perfectionism, inflexibility, and problems with rigidity have all interfered with his ability to hold a job and have a healthy relationship.

I have prescribed medication including Lexapro 40 mg a day, Vyvanse 70 mg a day, Xanax 1 mg every six hours as needed, and Restoril 30 mg at night for chronic insomnia. He also has continued to see Terry Huff, LCSW, in psychotherapy. Despite his compliance with his medication and therapy, his symptoms continue to be disabling.

Please consider Mr. Fenton's severe psychiatric condition in any judgments being made about his ability to work and his ongoing divorce. If you have any questions regarding his treatment or prognosis, please contact me with his permission.

Sincerely,



Richard E. Rochester, M.D.

RER/sde



# Obsessive-Compulsive Personality Disorder (OCPD)

By [Mark Zimmerman](#), MD, Rhode Island Hospital

Last full review/revision May 2021 | Content last modified May 2021

Obsessive-compulsive personality disorder is characterized by a pervasive preoccupation with orderliness, perfectionism, and control (with no room for flexibility) that ultimately slows or interferes with completing a task. Diagnosis is by clinical criteria. Treatment is with psychodynamic psychotherapy, cognitive-behavioral therapy, and selective serotonin reuptake inhibitors (SSRIs).

(See also [Overview of Personality Disorders](#).)

Because patients with obsessive-compulsive personality disorder need to be in control, they tend to be solitary in their endeavors and to mistrust the help of others.

About 2.1 to 7.9% of the general population are estimated to have obsessive-compulsive personality disorder; it is more common among men.

Familial traits of compulsivity, restricted range of emotion, and perfectionism are thought to contribute to this disorder.

**Comorbidities** may be present. Patients often also have a [depressive disorder](#) (major depressive disorder or persistent depressive disorder) or an [alcohol use disorder](#).

## Symptoms and Signs of OCPD

Symptoms of obsessive-compulsive personality disorder may lessen even over a time period as short as 1 year, but their persistence (ie, remission and relapse rates) during the long term are less clear.

In patients with obsessive-compulsive personality disorder, preoccupation with order, perfectionism, and control of themselves and situations interferes with flexibility, effectiveness, and openness. Rigid and stubborn in their activities, these patients insist that everything be done in specific ways.

To maintain a sense of control, patients focus on rules, minute details, procedures, schedules, and lists. As a result, the main point of a project or activity is lost. These patients repeatedly check for mistakes and pay extraordinary attention to detail. They do not make good use of their time, often leaving the most important tasks until the end. Their preoccupation with the details and making sure everything is perfect can endlessly delay completion. They are unaware of how their behavior affects their coworkers. When focused on one task, these patients may neglect all other aspects of their life.

Because these patients want everything done in a specific way, they have difficulty delegating tasks and working with others. When working with others, they may make detailed lists about how a task should be done and become upset if a coworker suggests an alternative way. They may reject help even when they are behind schedule.

Patients with obsessive-compulsive personality disorder are excessively dedicated to work and productivity; their dedication is not motivated by financial necessity. As a result, leisure activities and relationships are neglected. They may think they have no time to relax or go out with friends; they may postpone a vacation so long that it does not happen, or they may feel they must take work with them so that they do not waste time. Time spent with friends, when it occurs, tends to be in a formally organized activity (eg, a sport). Hobbies and recreational activities are considered important tasks requiring organization and hard work to master; the goal is perfection.

These patients plan ahead in great detail and do not wish to consider changes. Their relentless rigidity may frustrate coworkers and friends.

Expression of affection is also tightly controlled. These patients may relate to others in a formal, stiff, or serious way. Often, they speak only after they think of the perfect thing to say. They may focus on logic and intellect and be intolerant of emotional or expressive behavior.

These patients may be overzealous, picky, and rigid about issues of morality, ethics, and values. They apply rigid moral principles to themselves and to others and are harshly self-critical. ~~They are rigidly deferential to authorities and insist on exact compliance to rules, with no exceptions for extenuating circumstances.~~

## Diagnosis of OCPD



- Clinical criteria (Diagnostic and Statistical Manual of Mental Disorders, *Fifth Edition* [DSM-5])

For a diagnosis of obsessive-compulsive personality disorder, patients must have

- A persistent pattern of preoccupation with order; perfectionism; and control of self, others, and situations

This pattern is shown by the presence of  $\geq 4$  of the following:

- Preoccupation with details, rules, schedules, organization, and lists
- A striving to do something perfectly that interferes with completion of the task
- Excessive devotion to work and productivity (not due to financial necessity), resulting in neglect of leisure activities and friends
- Excessive conscientiousness, fastidiousness, and inflexibility regarding ethical and moral issues and values
- Unwillingness to throw out worn-out or worthless objects, even those with no sentimental value
- Reluctance to delegate or work with other people unless those people agree to do things exactly as the patients want
- A miserly approach to spending for themselves and others because they see money as something to be saved for future disasters
- Rigidity and stubbornness

Also, symptoms must have begun by early adulthood.

## Differential diagnosis

Obsessive-compulsive personality disorder should be distinguished from the following disorders:

- **Obsessive-compulsive disorder (OCD):** Patients with OCD have true obsessions (repetitive, unwanted, intrusive thoughts that cause marked anxiety) and compulsions (ritualistic behaviors that they feel they must do to reduce their anxiety-related obsessions). Patients with OCD are often distressed by their lack of control over compulsive drives; in patients with obsessive-compulsive personality disorder, the need for control is driven by their preoccupation with order so their behavior, values, and feelings are acceptable and consistent with their sense of self.
- **Avoidant personality disorder:** Both avoidant and obsessive-compulsive personality disorders are characterized by social isolation; however, in patients with obsessive-compulsive personality disorder, isolation results from giving priority to work and productivity rather than relationships, and these patients mistrust others only because of their potential to intrude on the patients' perfectionism.
- **Schizoid personality disorder:** Both schizoid and obsessive-compulsive personality disorders are characterized by a seeming formality in interpersonal relationships and by detachment. However, the motives are different: a basic incapability for intimacy in patients with schizoid personality disorder vs discomfort with emotions and dedication to work in patients with obsessive-compulsive personality disorder.

## Treatment of OCPD

- Psychodynamic psychotherapy
- Cognitive-behavioral therapy
- Selective serotonin reuptake inhibitors (SSRIs)

**General treatment** of obsessive-compulsive personality disorder is similar to that for all personality disorders.

Information about treatment for obsessive-compulsive personality disorder is sparse. Also, treatment is complicated by the patient's rigidity, obstinacy, and need for control, which can be frustrating for therapists.

Psychodynamic therapy and cognitive-behavioral therapy can help patients with obsessive-compulsive personality disorder. Sometimes during therapy, the patient's interesting, detailed, intellectualized conversation may seem psychologically oriented, but it is void of affect and does not lead to change.

**SSRIs** may be useful.

June 30, 2020

Re: IGA deficiency

In October, 2014, I was referred by my Internal Medicine Dr. Peddireddy to consult with Dr. Suresh Anne at the Asthma, Allergy, and Immunology Center in Flint MI. I was diagnosed with a primary immune deficiency. I have no detectable immunoglobulin A (IgA).

Dr. Anne told me I could no longer visit hospital patients or work in any part of the hospital. As a retired pediatric intensive care nurse, I had wanted to volunteer to work with children. I had to retire from my voluntary parish nurse position. I could no longer visit ill church members at home due to the danger of contracting an infection.

This was over 5 years before the dangerous covid-19. I have not gone to a store, church, hair salon, etc. since, due to the danger to my health. All food and supplies are delivered. None of my family is allowed to visit.....only my son who helps me maintain my health. If he gets exposed, I could easily have a disastrous outcome.

Thank you,

*Marsha A. Fenton*

Marsha A. Fenton



Name: Marsha A Fenton | DOB: 11/2/1945 | MRN: 027467957 | PCP: RAVIKUMAR R PEDDIREDDY, MD

## Letter Details



**MICHIGAN MEDICINE**  
UNIVERSITY OF MICHIGAN

Michigan Medicine Allergy Clinic | Brighton Center for  
Specialty Care  
Entrance 1, Level 2  
7500 Challis Rd  
Brighton MI 48116-9416  
Telephone: 734-647-5940  
Fax: 734-615-2436

January 13, 2022

To Whom It May Concern:

I had the pleasure of seeing Marsha Fenton on 12/10/2021. She is currently undergoing evaluation for immunodeficiency. I have recommended that she continue to take all precautions recommended for unvaccinated people given it is unclear whether she was able to produce a normal immune response to the COVID-19 vaccines and may not be protected. Therefore, if possible her son Jeff Fenton should continue to work remotely in order to avoid COVID-19 exposures for Marsha.

Any further questions can be directed to the office at the phone number listed above.

From the office of:  
Mariel Rosati Benjamin, MD

CC  
Marsha A. Fenton

*This letter was initially viewed by Marsha A Fenton at 1/13/2022 3:44 PM.*

**ASTHMA, ALLERGY AND IMMUNOLOGY CENTER**

S. Anne, M.D. R. Botta, M.D. I. Badr, M.D. R. Mahajan, M.D. H. Azzam, M.D.

**Patient Name:** Marsha Fenton

**DOB:** 11/2/1945 [74 years]

**Visit Date:** 7/2/2020

Ravikumar Peddireddy, M.D.  
G-1071 North Ballenger Highway, Suite 206  
Flint, MI 48504

Dear Dr. Peddireddy:

Thank you very much for letting me participate in the management of Marsha Fenton, who was seen by telephone consultation on 07/02/20. Marsha states that her IgA deficiency has been stable. She denies any upper or lower respiratory tract infection. She has been following strict avoidance measures from exposing to the COVID-19 infection. She is wearing the mask. She is staying home. Her son also stays with her, who is not working at this time. She denies any fever, chills, or rigors. She denies any upper or lower respiratory tract infection.

PHYSICAL EXAMINATION: Deferred at this time since this was done by telephone consultation.

IMPRESSION: Ms. Marsha Fenton has:

1. IgA deficiency, and
2. Chronic rhinosinusitis.

RECOMMENDATIONS:

1. Marsha is prone to develop recurrent infections. Therefore, I advised her to follow strict isolation measures from exposure to COVID-19 infection.
2. Since her son stays with Marsha, I strongly recommend that her son should do his work from home since it will reduce significantly the risk of exposure of Ms. Fenton to the COVID-19 virus.
3. A follow-up appointment has been scheduled in one year but I advised her to contact me as soon as the pandemic is over for further evaluation and treatment.

Once again, thank you very much for letting me participate in the management of Marsha Fenton. Please do not hesitate to contact me if you need any further information.

Respectfully,

Suresh Anne', M.D.

Signed Electronically By Suresh Anne, MD  
Signed Date: 7/3/2020 9:16:00 AM

E-Faxed to Ravikumar Peddireddy, MD On 7/3/2020 9:16:00 AM



## Lab Results Report

Asthma, Allergy and Immunology Center

Patient: **FENTON, MARSHA**      DOB: 11/02/1945      Gender: F

Order Number: 0011494	Provider: ANNE, SURESH	
Account #: 45961	Source (Lab): Quest	
Collection Time: 05/10/2018 10:43	Result Time: 05/11/2018 19:07	
Received Time: 05/10/2018 10:44	Accession #: WX534222V	
Specimen:	Volume (ml):	Fasting: NO
Comments:	Additional Information:	

Test	Result	Flag	Unit	Status	Ref. Range	Lab
<b>IMMUNOGLOBULINS :</b>						
<b>IMMUNOGLOBULIN A</b>	<b>&lt;5</b>	L	mg/dL	F	<b>81-463</b>	CB
IMMUNOGLOBULIN G	1494		mg/dL	F	694-1618	CB
IMMUNOGLOBULIN M	68		mg/dL	F	48-271	CB

-----  
 Performing Laboratory Information:

CB      Quest Diagnostics-Wood Dale, 1355 Mittel Blvd Wood Dale, IL 60191-1024, , Anthony V Thomas, M.D.

Abnormal Flags:

L      Below low normal

10/15/2018 PHONE CALL TRANSCRIPT: JEFF F. (615) 837-1300 SPEAKING WITH CLERK & MASTER'S OFFICE (615) 790-5428  
WILLIAMSON COUNTY CHANCERY COURT, IN FRANKLIN TENNESSEE, CLERK & MASTER ELAINE BEATY BEELER  
(COURT SUMMONS STATED: "FOR ADA ASSISTANCE, PLEASE CALL ADA COORDINATOR: 615-790-5428")

APPENDIX - 20

### ADA CONTACTS

If you have questions about ADA issues, you may contact the Local Judicial Program ADA Coordinator for the county or the specific court in which your case is scheduled to be heard. To find the ADA coordinator in your area, select your county from the menu below.

COUNTY:

Name	Address	
<a href="#">Elaine Beeler</a> Clerk & Master	P.O. Box 1666 Franklin, TN 37064 Williamson County	<a href="mailto:elaine.beeler@tncourts.gov">elaine.beeler@tncourts.gov</a> 615-790-5428
<a href="#">Lisa Marsh</a> Chief Deputy Clerk (ADA for Appellate Court Middle Division)	401 7th Avenue North Nashville, TN 37219-1407 Bedford County, Cannon County, Cheatham County, Clay County, Coffee County, Davidson County, DeKalb County,	<a href="mailto:lisa.marsh@tncourts.gov">lisa.marsh@tncourts.gov</a> 615-253-1470

## TRANSCRIPT OF RECORDED PHONE CALL:

2018-10-15 WILCO Clerk and Master - ADA Coordinator.mp3

00:00:07 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):  
**Clerk & Master's Office.**


00:00:09 Jeff F. (Disabled, Broke, Pro Se Litigant):

**Hi. I um, it says for ADA assistance to call this number. [SEE IMAGE BELOW]**

**CERTIFICATION (IF APPLICABLE)**

I hereby certify this to be a true and correct copy of the original summons issued in this case.

*Jacqueline F. Edwards*  
CLERK & MASTER



**For ADA assistance, please call ADA coordinator: 615-790-5428**



10/15/2018 PHONE CALL TRANSCRIPT: JEFF F. (615) 837-1300 SPEAKING WITH CLERK & MASTER'S OFFICE (615) 790-5428  
WILLIAMSON COUNTY CHANCERY COURT, IN FRANKLIN TENNESSEE, CLERK & MASTER ELAINE BEATY BEELER  
(COURT SUMMONS STATED: "FOR ADA ASSISTANCE, PLEASE CALL ADA COORDINATOR: 615-790-5428")

00:00:16 Jeff F. (Disabled, Broke, Pro Se Litigant):

I have been served with a divorce summons and um, I've got several disabilities, but I don't have any money either, and I don't—haven't been successfully getting any attorney to help me, and I don't know how to respond to this.

00:00:36 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

➤ OK, now the disability would be if you needed help getting into the building.<sup>1</sup>

00:00:41 Jeff F. (Disabled, Broke, Pro Se Litigant):

Oh [laughing].

00:00:43 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

➤ From your vehicle, getting into the building.<sup>2,3</sup> [I'm told that the ONLY "ADA ACCOMMODATION" offered by the Williamson County Chancery Court, is having a WHEELCHAIR brought out curbside, to a disabled person's vehicle, to assist the mobility challenged person with entering the Courthouse.]

00:00:46 Jeff F. (Disabled, Broke, Pro Se Litigant):

OK, so how do I do the rest of this then?

00:00:51 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

OK, the only thing I could give you, would be um, a number for free legal aid, like the legal aid society.


<sup>1</sup> The Court's answer is in direct violation of the Americans with Disabilities Act, as well as Tennessee Judicial Branch Policy 2.07. The Court also fails to mention the "REQUEST FOR MODIFICATION" form available on TNCourts.gov.


<sup>2</sup> [https://www.tncourts.gov/sites/default/files/policy\\_2-07\\_americans\\_with\\_disabilities\\_act\\_1.pdf](https://www.tncourts.gov/sites/default/files/policy_2-07_americans_with_disabilities_act_1.pdf)

<sup>3</sup> [https://www.tncourts.gov/sites/default/files/ada\\_request\\_for\\_modification\\_form.pdf](https://www.tncourts.gov/sites/default/files/ada_request_for_modification_form.pdf)

**CERTIFICATION (IF APPLICABLE)**

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 CLERK & MASTER



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00:00:59 Jeff F. (Disabled, Broke, Pro Se Litigant):

I was told by one attorney that I visited, that my wife made too much money for me to qualify for legal aid and even though she doesn't live with me and she won't pay for my attorney.

00:01:15 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

That I don't know, you'd have to call the number. Did you call the number for Nashville Office?

00:01:22 Jeff F. (Disabled, Broke, Pro Se Litigant):

No, I didn't he. That was just what one attorney that—a free consultation told me. What, what is their number?

00:01:29 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

OK, 615-244-6610.

00:01:34 Jeff F. (Disabled, Broke, Pro Se Litigant):

244-6610. OK, and um, can you tell me just um, I filled out the, it says a \$10,000 exemption. I—I made like a spreadsheet of that, but I don't know. It says it's supposed to be sworn and—and mailed to this address.

00:01:56 Jeff F. (Disabled, Broke, Pro Se Litigant):

I understand the mailing it to this address, but I don't understand exactly what format they want it in and how you swear it under oath or whatever. Um, do you have any idea of where—am I supposed to use a specific form or do you have any idea what—how I'm supposed to do that?

**CERTIFICATION (IF APPLICABLE)**

I hereby certify this to be a true and correct copy of the original summons issued in this case.

*Jacqueline E. Edwards*  
CLERK & MASTER  


For ADA assistance, please call ADA coordinator: 615-790-5428



10/15/2018 PHONE CALL TRANSCRIPT: JEFF F. (615) 837-1300 SPEAKING WITH CLERK & MASTER'S OFFICE (615) 790-5428 WILLIAMSON COUNTY CHANCERY COURT, IN FRANKLIN TENNESSEE, CLERK & MASTER ELAINE BEATY BEELER (COURT SUMMONS STATED: "FOR ADA ASSISTANCE, PLEASE CALL ADA COORDINATOR: 615-790-5428")

00:02:14 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

➤ Yeah, I can't give you any advice. I mean, I'm not an attorney.<sup>4,5,6</sup>

00:02:18 Jeff F. (Disabled, Broke, Pro Se Litigant):

Right. So um, so the same thing with this complaint um, I mean my understanding is people can represent themselves if you can't get an attorney. But I've only got 2 weeks left or she gets a default judgment, and I don't have any clue how.

00:02:37 Jeff F. (Disabled, Broke, Pro Se Litigant):

I mean I can understand how to rebuttal her—her statements that are false here, but I don't have any clue as far as what kind of form or format that should take or anything else. Do you have any knowledge of any stock forms that State of Tennessee offers for replying to this?

<sup>4</sup> This wasn't a request for "legal advice", it was a question about **procedural information** and specifically a **FORM** called "**Protected Income and Assets (Affidavit of Claim Exemptions)**" which the State of Tennessee has prepared in both WORD, PDF, and Fillable PDF formats, again on their TNCourts.gov website, along with many other **FORMS!**

<sup>5</sup> <https://www.tncourts.gov/docs/documents-forms/supreme-court-approved-forms/protected-income-and-assets-ia-fillable-pdf> (This is the exact form that I am asking for, while the Court acts clueless and refuses to assist.)

<sup>6</sup> **Information** such as I sought, was well within the "**Guidelines for Tennessee Court Clerks Who Assist Self-Represented Persons**". Which states in Section A, "**The primary goal of court and clerks' staff is to provide high quality service to court users. Court clerks strive to provide accurate information and assistance in a prompt and courteous manner.**" While Section B of that same document, was violated throughout much of my case, "**Absolute duty of impartiality. Court clerks must treat all litigants fairly and equally.** Court clerks must not provide assistance for the purpose of giving one party an advantage over another, **nor give assistance to one party that they would not give to an opponent.**"

**CERTIFICATION (IF APPLICABLE)**

I hereby certify this to be a true and correct copy of the original summons issued in this case.

*Jacqueline F. Echols*  
CLERK & MASTER  


For ADA assistance, please call ADA coordinator: 615-790-5428



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00:03:01 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

**No, we don't have any forms here in this office.** 7,8,9,10,11

<sup>7</sup> The Court withheld simple INFORMATION about pre-drafted FORMS provided by the State of Tennessee, which are approved for use by the Tennessee Supreme Court, easily available in at least three different locations, **if you simply know WHERE to LOOK:**

<sup>8</sup> **SAMPLE COURT FORMS are provided in the last 58-PAGES of that Court's OWN LOCAL RULES, in APPENDIX A** (on page-24) through **APPENDIX K** (on page 82), of the LOCAL RULES OF PRACTICE, TWENTY-FIRST JUDICIAL DISTRICT, HICKMAN, LEWIS, PERRY AND **WILLIAMSON COUNTIES**. RULES OF THE CIRCUIT AND CHANCERY COURTS FOR THE TWENTY-FIRST JUDICIAL DISTRICT (Amended March 1, 2019).

<sup>9</sup> <https://www.tncourts.gov/> (NOBODY at Williamson County Chancery Court EVER told me about this website!)

<sup>10</sup> <https://justiceforalltn.org/forms/> (NOBODY at Williamson County Chancery Court EVER told me about this website, or the resources it hosts!) **There was NO SIGNAGE or any information to assist Pro Se or Disabled litigants!**

<sup>11</sup> Later, on a separate occasion, when visiting the Williamson County Chancery Court, Clerk & Master's Office (I don't know the date or time, who I spoke with, or the exact language of our conversation. It was one of my first times there, I didn't know anybody by name.) I asked again about where I could find or obtain any FORMS or INFORMATION that I could use as a guide, and where I could find their LOCAL COURT RULES, so that I could ensure that whatever I drafted and filed would comply with the specific format desired by the Williamson County Chancery Court.

**Whomever I spoke with in the Clerk & Master's Office, failed or refused to provide me with ANY useful information or assistance whatsoever!** I was never provided with ANY of the information above, prepared by and hosted by both the State and County governments. Nor did I receive any helpful information whatsoever.

I specifically remember inquiring about the **local library**, and whether or not they had any TN State Law Books or resources to assist me. Any Local Court Rules, form styles, templates, anything... to which I was told "no", or not that they knew of... I was advised to look online, but not informed about ANY websites or resources provided by the State of Tennessee or the TN Court System, **which I specifically asked about**, to again receive a **"nothing that I'm aware of"** (or substantially similar response). Instead, I repeatedly received a general suggestion such as **"that's why people hire attorneys, you'll just need to research it online."**

At that time, I had been researching it online, but **I never found any websites for the TN Courts in my search results.** Instead, I found a BUNCH of companies who wanted to SELL ME FORMS, which included some type of "form builder" to design the forms in compliance with each State (they said). **Though none of them looked like what I had been served**, so I was extremely reluctant. I finally wasted \$100 buying a set of divorce answer forms, from the most legitimate looking website I could find. Unfortunately, there were so many irrelevant looking pages, while the entire package and format looked goofy and generic, that I never used them.

**This was specifically WHY I repeatedly tried to get SOME INFORMATION from the Clerk & Master's Office about WHICH WEBSITE to buy the forms from, or any other resources provided by the State of Tennessee, whether located online or in a building in Middle Tennessee, that I could drive to, perform some research, obtain some information, anything that would point me in the right direction, where I could reasonably expect my filing would be acceptable to the Court. Yet they refused to even point me in the general direction! (I didn't mind spending \$100 for FORMS, I just wanted to ensure the forms I purchased would be acceptable to the Williamson County Chancery Court.)**

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*Jacqueline F. Edwards*  
CLERK & MASTER  


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(COURT SUMMONS STATED: "FOR ADA ASSISTANCE, PLEASE CALL ADA COORDINATOR: 615-790-5428")

00:03:04 Jeff F. (Disabled, Broke, Pro Se Litigant):

**OK. And is there, is this the, is this just the ADA office or is this an office associated with the legal?**

00:03:12 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

**This is Chancery Court, Clerk & Master's Office.**

00:03:15 Jeff F. (Disabled, Broke, Pro Se Litigant):

**OK, so—so [laughing] what do you advise I do?**

00:03:21 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

**I can't give you any advice because I'm not an attorney.**

00:03:25 Jeff F. (Disabled, Broke, Pro Se Litigant):

**Right. [pause] But attorneys cost money, and if I don't have any money, then what do I do? [laughing]**

00:03:34 Jeff F. (Disabled, Broke, Pro Se Litigant):

**I mean, it seems like there should be some way—I thought that there was some way that legally people could represent themselves and um respond to this without just being in trouble, because they get a default judgment if you don't.**

00:03:50 Jeff F. (Disabled, Broke, Pro Se Litigant):

**And actually that's what the attorney had told me too, that I consulted with was that even if I get an attorney at this point, um and they try to go to get her to pay the fees. I probably need to respond to this myself ahead of time, because I'm gonna run out of time.**

**CERTIFICATION (IF APPLICABLE)**

**I hereby certify this to be a true and correct copy of the original summons issued in this case.**

*Jacqueline F. Edwards*  
**CLERK & MASTER**  


**For ADA assistance, please call ADA coordinator: 615-790-5428**

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00:04:11 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

**And did that Attorney not give you any advice or any suggestions.**

00:04:16 Jeff F. (Disabled, Broke, Pro Se Litigant):

**He—he looked online. He said he didn't see the forms. He looked real quick online and said he didn't see the forms and uh and no, he did not give me any. I mean, he suggested that I do not allow this to get a default judgment. He suggested that I reply to this even if I do it myself, um but he didn't tell me how to do that. He just said I guess research it online, or this or that, but um there's all kinds of stuff online. I want to make sure that I do it in a way that is acceptable to the Williamson County Court System.**

00:04:53 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

**Like I said, you know, I'm sorry, but you know, I'm not an attorney. I can't give you any advice and we don't have any standard forms for that—that we could give you.<sup>12</sup>**

00:05:01 Jeff F. (Disabled, Broke, Pro Se Litigant):

**OK. Is there any um, ADA area of the State of Tennessee that helps people that have um certified—doctors certified mental handicaps to figure out how to do this, with—if they don't have money.**

<sup>12</sup> According to the "Guidelines for Tennessee Court Clerks Who Assist Self-Represented Persons" (attached), in section D, on pages 2 and 3, it states as follows:

Authorized information and assistance. When a self-represented person seeks help -- excluding legal advice -- court or clerks' staff may respond to questions to the best of her or his ability. Court clerks are authorized to:

Provide a copy of or recite common, routinely employed: court rules, court procedures, administrative practices. Show or tell the self-represented person where to access statutes or rules of procedure.

Identify forms [and informational booklets] that might meet the needs of the self-represented person, and provide forms [and informational booklets] that the Supreme Court [or trial judge] has [approved] mandated for the guidance of self-represented persons. When a clerk is reasonably certain about which form is most appropriate for use by a given litigant, clerk should identify the appropriate form and answer questions about how to complete it.

**CERTIFICATION (IF APPLICABLE)**

**I hereby certify this to be a true and correct copy of the original summons issued in this case.**

*Jacqueline F. Beeler*  
CLERK & MASTER  


**For ADA assistance, please call ADA coordinator: 615-790-5428**



10/15/2018 PHONE CALL TRANSCRIPT: JEFF F. (615) 837-1300 SPEAKING WITH CLERK & MASTER'S OFFICE (615) 790-5428 WILLIAMSON COUNTY CHANCERY COURT, IN FRANKLIN TENNESSEE, CLERK & MASTER ELAINE BEATY BEELER (COURT SUMMONS STATED: "FOR ADA ASSISTANCE, PLEASE CALL ADA COORDINATOR: 615-790-5428")

00:05:18 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

- There's nothing that I'm aware of, you know like I said, the ADA number on there is simply if you need assistance getting into the building.<sup>13</sup> [The court says that the ADA PHONE NUMBER (printed at the bottom of every Court Summons), is ONLY there for people who need help getting into the building.]

00:05:22 Jeff F. (Disabled, Broke, Pro Se Litigant):

- Right, that's a wheelchair or something but...

00:05:24 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

- Um-Hun. [confirming]

00:05:25 Jeff F. (Disabled, Broke, Pro Se Litigant):

...there's a—a—a there's a—OK, that won't really help me. [laughing] OK.

00:05:36 Jeff F. (Disabled, Broke, Pro Se Litigant):

Well, thank you.

00:05:24 Chancery Court Clerk & Master's Office (615) 790-5428 (Williamson County, TN):

You're welcome.

00:05:38 Jeff F. (Disabled, Broke, Pro Se Litigant):

Have a good day. Bye bye.

<sup>13</sup> This is so highly **discriminative** against poor and disabled litigants, while being a flagrant violation of both State and Federal ADA Laws and related Policies, "under color of law" and/or local policies, this is absolutely unacceptable!

ALL that I was looking for was a **tiny bit of human decency**, and the **slightest CHANCE at an actually FAIR and IMPARTIAL trial**, as is required of every Court of Equity and Law within the United States of America, in order to have and maintain **any lawful authority and jurisdiction** to hear, judge, or rule over any matter! **Instead, I found the exact opposite inside Williamson County Chancery Court**, more times and in more ways, than so far, I can count!

**CERTIFICATION (IF APPLICABLE)**

I hereby certify this to be a true and correct copy of the original summons issued in this case.

  
 CLERK & MASTER  


For ADA assistance, please call ADA coordinator: 615-790-5428

**Guidelines for  
Tennessee Court Clerks Who Assist Self-Represented Persons**  
(Approved by the Tennessee State Court Clerks Association and endorsed by the Tennessee Supreme Court)

**A. The primary goal of court and clerks' staff is to provide high quality service to court users.** Court clerks strive to provide accurate information and assistance in a prompt and courteous manner. However, in many or most situations involving *pro se* litigants (or represented litigants who come to the clerk's office without their attorneys), the best customer service might be to advise the litigant to seek the assistance of an attorney. The purpose of this rule is to provide guidance to court clerks about the services they may provide to self-represented persons without violation of the prohibition against engaging in the unauthorized practice of law. It is not intended to restrict the powers of court clerks as otherwise provided by statute or rule, nor is it intended to eliminate the collection of applicable fees or costs. Finally, it is not the purpose of this Rule to require court clerks to provide the assistance authorized by paragraph D.

**B. Absolute duty of impartiality.** Court clerks must treat all litigants fairly and equally. Court clerks must not provide assistance for the purpose of giving one party an advantage over another, nor give assistance to one party that they would not give to an opponent.

**C. Prohibition against giving legal advice.** As specified in paragraph C.2, court clerks shall not provide legal advice or recommend a specific course of action for an individual other than the advice to seek the assistance of a lawyer. (See Guideline C.2 for examples of legal advice.)

1. If a court user asks for legal advice, court clerks shall inform the person that the clerk is not authorized to provide legal advice and shall advise the person to seek the assistance of an attorney.
2. Court clerks shall not apply the law to the facts of a given case, nor give directions regarding how a litigant *should* respond or behave in any aspect of the legal process. For example, court clerks shall not:
  - a. Recommend whether to file a petition or other pleading.
  - b. Recommend phrasing or specific content for pleadings.
  - c. Fill in a form for the self-represented person, provided, however, that if a litigant has a physical disability or is illiterate and therefore unable to fill in a form, and the litigant explains the disability to a clerk's staff member and requests appropriate assistance, then the staff member may fill in the form. In such a case, however, the clerk's staff member must write down the *exact words* provided by the litigant, and another staff member must witness the action.)
  - d. Recommend specific people against whom to file petitions or other pleadings.
  - e. Recommend specific types of claims or arguments to assert in pleadings or at trial.



- f. Recommend what types or amount of damages to seek or the specific litigants from whom to seek damages.
- g. Recommend specific questions to ask witnesses or other litigants.
- h. Recommend specific techniques for presenting evidence in pleadings or at trial.
- i. Recommend which objections to raise to an opponent's pleadings or motions at trial or when and specifically how to raise them.
- j. Recommend when or whether a litigant should request (or oppose) a continuance.
- k. Recommend when or whether a litigant should settle a dispute.
- l. Recommend whether a litigant should appeal a judge's decision.
- m. Interpret the meaning or implications of statutes or appellate court decisions as they might apply to an individual case.
- n. Perform legal research.
- o. Predict the outcome of a particular case, strategy, or action.

3. If a court clerk is uncertain whether the advice or information constitutes "legal advice," the clerk shall inform the person that the clerk is not authorized to provide legal advice and shall advise the person to seek the assistance of an attorney.

**D. Authorized information and assistance.** When a self-represented person seeks help -- excluding legal advice -- court or clerks' staff may respond to questions to the best of her or his ability. Court clerks are authorized to:

- 1. Unless prohibited by statute or court rule, provide public information contained in:
  - a. dockets or calendars,
  - b. case files,
  - c. indexes, and
  - d. other reports.
- 2. Provide a copy of or recite common, routinely employed:
  - a. court rules,
  - b. court procedures, and
  - c. administrative practices.
- 3. Show or tell the self-represented person where to access statutes or rules of procedure.
- 4. Identify forms [and informational booklets] that might meet the needs of the self-represented person, and provide forms [and informational booklets] that the Supreme Court [or trial judge] has [approved] mandated for the guidance of self-represented persons. When a clerk is reasonably certain about which form is most appropriate for use by a given litigant, the clerk should identify the appropriate form. However, clerks should avoid telling litigants that they *should* or *must* use a particular form. The appropriate approach in most situations is to tell the



litigant: a) a particular form probably will meet the individual's needs; b) clerks cannot guarantee that this is the correct form; and c) the litigant should read the form very closely or consult an attorney to determine the appropriateness of the form for the litigant's purposes.


5. Answer questions about how to complete forms (e.g., where to write in particular types of information), but **not** questions about how the litigant *should* phrase his or her responses on the forms.
6. Define or explain terms commonly used in court processes.
7. Provide phone numbers for legal assistance organizations, mediator and lawyer referral services, and other judicially approved programs providing assistance to self-represented persons. .

**E. Prohibition against revealing the outcome of a case before the information is officially released to the litigants or public.** Court clerks shall not disclose the outcome of a matter submitted to a judge for decision until the outcome is part of the public record, or until the judge directs disclosure of the matter.

**F. Ex parte communications.**

1. If a litigant or attorney submits an *ex parte* **written** communication for a judge (e.g., to grant a continuance; to stop or limit a garnishment), court staff **must** deliver it to a judge who should decide what action, if any, is appropriate.
2. If a party makes a **verbal** request that a judge take some type of **action** in a case, the clerk should tell the litigant to **put the request in writing** and:
  - a. address the request to the court;
  - b. include the case number (if any) on the document;
  - c. write the date on the document;
  - d. sign the written document;
  - e. print the person's name under the signature;
  - f. write the person's address and telephone number on the document;
  - g. deliver the written request to the clerk's office; and
  - h. serve a copy of the document on opposing litigant or litigant's attorney (in a manner consistent with the Tennessee Rules of Civil Procedure..
3. If a party or attorney contacts a court clerk by telephone with a verbal request for judicial action and there is insufficient time to deliver a written request to the clerk's office (i.e., an emergency situation), the clerk may communicate the request to a judge in accordance with rules established by the chief or presiding judge(s) for handling such communications. The clerk, however, should tell the caller that the clerk cannot guarantee that the judge will grant the request.



 <p style="text-align: center;"> <b>Administrative Policies And Procedures</b>  <b>Tennessee Supreme Court</b>  <b>Administrative Office of the Courts</b> </p> <p style="text-align: center;"> <i>Janice M. Holder</i>      <i>Elizabeth A. Sykes</i> </p>	Index #: 2.07	Page 1 of 11
	Effective Date: 11/14/08	
Supersedes: 2.07 (03/15/06)		
Approved by: Chief Justice Janice M. Holder and Elizabeth A. Sykes, Director		
Subject: Americans with Disabilities Act		

- I. Authority: T.C.A. §16-3-803, 42 U.S.C. 12131 *et seq.* (Americans with Disabilities Act)
- II. Purpose: To ensure that all individuals have equal access to judicial programs and to prohibit discrimination against any individual on the basis of physical or mental disability in accessing or participating in its programs.
- III. Application: All employees of the Judicial Branch.
- IV. Definitions:
  - A. Disability: With respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.
  - B. Facility: All or any portion of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walks, passageways, parking lots, or other real or personal property, including the site where the building, property, structure or equipment is located.
  - C. Individual with a disability: A person who has a disability.
  - D. Qualified individual with a disability: An individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.
- V. Policy: It shall be the policy of the Judicial Branch of the State of Tennessee to prohibit discrimination against any qualified individual on the basis of physical or mental disability in accessing or participating in its

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judicial programs. The Judicial Branch shall conduct its services, programs or activities, when viewed in their entirety, in a manner that is readily accessible to and usable by qualified individuals with disabilities.

VI. Procedures:

A. Upon request, the Tennessee Judicial Branch will provide reasonable modifications to its rules, policies, services, procedures, and practices when doing so is necessary to provide effective access to a qualified individual with a disability. A “reasonable modification” may include, but is not limited to, furnishing, at no charge, auxiliary aids and services, which include but are not limited to equipment, devices, materials in alternative formats, and qualified interpreters or readers; and relocating judicial programs, services or activities to alternate accessible facilities or alternate accessible sites. Such modifications shall be designed to make each service, program, or activity, when viewed in its entirety, readily accessible to be usable by a qualified individual with a disability.

B. In the event that the reasonable modification requires relocation of a judicial program, service or activity to an alternate facility or site, the alternate facility or site shall comply with the requirements of the Americans with Disabilities Act and the Tennessee Public Buildings Accessibility Act. The alternate facility or site shall also comply with Tennessee law concerning the location of county courthouses.

The Local Judicial Program ADA Coordinator in a county where the county courthouse is not ADA compliant, shall maintain a list of alternate facilities or sites that may be used for relocation of judicial programs, services and activities. An up to date copy of the alternate facility or site list shall be submitted to the Tennessee Judicial Program ADA Coordinator.

C. The Tennessee Judicial Branch has Judicial Program ADA Coordinator, employed by the Administrative Office of the Courts (AOC), who oversees the administration of this policy, any complaints associated with issues raised by this policy, and Requests for Modification under the Americans with Disabilities Act within the Judicial Branch, and will have the ultimate responsibility for compliance with this policy.

D. The Tennessee Judicial Program ADA Coordinator will designate a Local Judicial Program ADA Coordinator for each county in a judicial district, who will be responsible for handling all Requests for Modification to access judicial programs, activities and services within that county. The Local Judicial Program ADA Coordinator



should be involved with or familiar with the judicial program of the county.

- E. Persons requiring modification to obtain access to judicial programs, services or activities at any facility used for such purposes should contact the Local Judicial Program ADA Coordinator (Coordinator). A written Request for Modification is preferred. However, this request may be made by telephone to the Coordinator. In such instances, the Coordinator shall commit such requests to writing. The Coordinator shall maintain a record of all Requests for Modification. A Request for Modification form is available and may be obtained from the Local Judicial Program ADA Coordinator, the Tennessee Judicial Program ADA Coordinator, any court clerk's office, or online at [www.tncourts.gov](http://www.tncourts.gov). If appropriate or upon request, the Local Judicial Program ADA Coordinator or the Tennessee Judicial Program ADA Coordinator will provide assistance with writing and submitting the written request for Modification. Large print and Braille versions of the Request form are available upon request. If appropriate, other personnel associated with the judicial program, service or activity may assist the applicant in the submission of a completed Request for Modification to the Coordinator.

The written Request for Modification shall include a description of the person's disability, the role of the person in the judicial proceeding, the Modification sought, the date and time of the Modification requested, and the judicial proceeding for which the Modification is sought. Once a Request for Modification has been granted, the Local Judicial Program ADA Coordinator will advise the applicant of the procedure to be followed with regard to subsequent proceedings associated with the original Request. If necessary, the Local Judicial Program ADA Coordinator may require the applicant to provide additional information about the qualifying disability in order to determine the appropriate Modification to meet the applicant's needs, but only such information that may be required to make such a determination. Under no circumstances will the Local Judicial Program ADA Coordinator be permitted to request information regarding the applicant's disability that is not necessary for the evaluation of the Modification requested.

- F. An application requesting Modification may be submitted by any lawyer, party, witness, juror or other individual with an interest in attending any judicial program, activity or service or another person on behalf of such interested person.
- G. The Request for Modification should be submitted with as much advance notice as possible, but in any event should be made no less than five (5) business day prior to the date for which the

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Modification is sought. An immediate Request for Modification should be made when urgent and/or emergency circumstances arise. In criminal cases where a defendant is confined to jail, the Request for Modification should be made as soon as possible. However, it may be necessary that the Request for Modification may be made contemporaneously with his or her initial court appearance.

- H. In the event that a person requiring a Modification has not made a timely Request for Modification, the court may, in its discretion, immediately grant such Modification without requiring an advance written request. In such a case, a Request for Modification form shall be completed by either the person requesting Modification or court personnel for the court's records. Alternately, the court may, in its discretion, postpone, reschedule or otherwise delay the judicial program, service or activity affected. Under such circumstances, the individual requesting Modification shall be required to immediately submit a written request. If appropriate or upon request, court personnel will provide assistance with writing and submitting the request for Modification.
  
- I. The Local Judicial Program ADA Coordinator will, as soon as practicable, notify the requesting individual of the Modification to be provided. An alternate Modification may be offered instead of the requested Modification if the Local Judicial Program ADA Coordinator determines that another equally effective Modification is available.
  
- J. If the Local Judicial Program ADA Coordinator determines that additional time may be necessary in order to achieve and/or obtain Modification, the Local Judicial Program ADA Coordinator shall notify the judge presiding over the matter, who will determine an appropriate course of action.
  
- K. A request for Modification may be denied only if the Local Judicial Program ADA Coordinator finds that:
  - 1) The person making the request is not a qualified individual with a disability; or,
  - 2) The requested Modification would create an undue financial or administrative burden; or,
  - 3) The requested Modification would fundamentally alter the nature of the judicial program, service or activity; or,
  - 4) Some other Modification would be as effective and involve less cost or inconvenience; or,



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- 5) The applicant has refused to comply with this Policy; or,
  - 6) The applicant's failure to comply with this Policy makes impossible or impracticable the ability to provide the requested Modification.
- L. No employee of the Judicial Branch of the State of Tennessee shall retaliate against any person who exercises his/her rights under the Americans with Disabilities Act or who requests modification pursuant to this policy.
- M. If a Request for Modification is denied or the offered alternate Modification is unsatisfactory to the applicant, the applicant may appeal the decision of the Local Judicial Program ADA Coordinator to the presiding judge of the judicial district within ten (10) days of the denial of Modification or offer of alternate Modification. The judge shall rule on the appeal as soon as practicable, and where possible, in advance of the date of the hearing for which the Modification is requested.
- N. If an applicant is dissatisfied with the ruling of the presiding judge, the decision may be appealed, within ten (10) days of the ruling, to the Director of the Administrative Office of the Courts, or his/her designee. A written request must include reasons for disagreement with the previous determinations, as well as the remedy sought. The Director shall provide a ruling as to the request as expeditiously as possible. In resolving appeals, the Director is authorized to independently investigate the facts surrounding the appeal and has the discretion to utilize appropriate dispute resolution processes or other methods, including but not limited to, designating an appropriate neutral to assist in resolving the issues in controversy.
- O. A public notice shall be posted in visible places throughout each facility where judicial programs, services and/or activities are held, including but not limited to each court clerk's office, that identifies the Local Judicial Program ADA Coordinator and the Tennessee Judicial Program ADA Coordinator. Such public notice shall also provide a website address where a copy of this policy, implementation guidance, and Request for Modification form may be obtained electronically.
- Should the courthouse facility within which judicial programs, services and/or activities are provided be inaccessible, a public notice shall be posted on the outside of the building or at another such location at or near the building that is readily accessible.
- P. When a summons, subpoena, juror summons or other pleading, order or document compelling participation in a judicial program,

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service or activity is issued, said documents shall provide notice of the identity of the Local Judicial Program ADA Coordinator, the Tennessee Judicial Program ADA Coordinator and a specific designation as to how each may be contacted, including telephone numbers and email addresses. Such notice shall also provide information about program accessibility and the procedure for submission of requests for reasonable modifications. Such notice shall also provide a website address where a copy of this policy and Request for Modification request form may be obtained electronically. In the alternative, an abbreviated form of notice, i.e. a stamped or printed statement, that may be integrated onto a pre-printed form, may be provided on such documents that provides contact information for persons requiring assistance under the Americans with Disabilities Act, e.g. "For ADA assistance, please call (insert contact information for Local Judicial Branch ADA Coordinator)."



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**REQUEST FOR MODIFICATION**  
**Applicant requests accommodation under Tennessee Judicial Branch Policy 2.07**

**Applicant Information**

Applicant is: \_\_\_\_\_ Witness \_\_\_\_\_ Juror \_\_\_\_\_ Attorney \_\_\_\_\_ Party \_\_\_\_\_ Other (Specify Nature of Interest): \_\_\_\_\_

Name: \_\_\_\_\_ Court: \_\_\_\_\_

Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

Judge: \_\_\_\_\_

Case No.: \_\_\_\_\_

Type of proceeding: Criminal \_\_\_\_\_ Civil \_\_\_\_\_

Proceedings to be covered (e.g., bail hearing, preliminary hearing, particular witnesses at trial, sentencing hearing, motion hearing, and trial): \_\_\_\_\_  
 \_\_\_\_\_

Dates modification needed (specify): \_\_\_\_\_

Disability necessitating modification (specify): \_\_\_\_\_  
 \_\_\_\_\_

Type of modification requested (specify): \_\_\_\_\_  
 \_\_\_\_\_

Special requests or anticipated problems (specify): \_\_\_\_\_  
 \_\_\_\_\_

I hereby certify that the above information is true and correct to the best of my knowledge.

Date: \_\_\_\_\_

\_\_\_\_\_  
 (Signature of Applicant)

The request for modification is **GRANTED**.

**OFFER OF REASONABLE ALTERNATE MODIFICATION** \_\_\_\_\_  
 \_\_\_\_\_

The request for modification is **DENIED** because:

- \_\_\_\_\_ the applicant is not a qualified individual with a disability
- \_\_\_\_\_ the requested modification would fundamentally alter the nature of the judicial program, service or activity
- \_\_\_\_\_ the requested modification would create an undue financial or administrative burden
- \_\_\_\_\_ the applicant refused to comply with the Policy
- \_\_\_\_\_ the applicant's failure to comply with the Policy makes impossible or impracticable the ability to provide the requested Modification

(Specify) \_\_\_\_\_  
 \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
 Local Judicial Program ADA Coordinator

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**APPEALS**

Presiding Judge Review requested. (Specify reason and the remedy you want): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_  
(Signature of Person Requesting Review)

**PRESIDING JUDGE REVIEW**

I have reviewed the original request for modification, the offer of alternate modification OR the denial of modification and the reason for the denial, and the reason that this review has been requested and find as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_  
PRESIDING JUDGE

Administrative Office of the Courts Review requested. (Specify reason and the remedy you want): \_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_  
(Signature of Person Requesting Review)

**ADMINISTRATIVE OFFICE OF THE COURTS REVIEW**

I have reviewed the original request for modification, the offer of alternate modification OR the denial of modification and the reason for the denial, and the reason that this review has been requested and find as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_  
AOC DIRECTOR



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**PUBLIC NOTICE**

The Americans with Disabilities Act prohibits discrimination against any qualified individual with a disability. The Tennessee Judicial Branch does not permit discrimination against any individual on the basis of physical or mental disability in accessing its judicial programs. In accordance with the Americans with Disabilities Act, if necessary, the Tennessee Judicial Branch will provide reasonable modifications in order to access all of its programs, services and activities to qualified individuals with disabilities.

If you require a modification to access the judicial program and/or have special needs because of a qualified disability, you must submit a written **Request for Modification** to the Local Judicial Program ADA Coordinator listed below at least five (5) business days prior to the date of the judicial program, if possible. A form is available from the Local Judicial Program ADA Coordinator or from the Tennessee Judicial Program ADA Coordinator.

If you need assistance, have questions or need additional information, please contact your Local Judicial Program ADA Coordinator:

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If you need assistance, have questions or need additional information, you may also contact the Tennessee Judicial Program ADA Coordinator:

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The Tennessee Judicial Branch Americans with Disabilities Act Policy Regarding Access to Judicial Programs, as well as a Request for Modification form may be found online at [www.tncourts.gov](http://www.tncourts.gov).

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**NOTICE**

**(To be sent along with Summons, Subpoenas, Juror Summons or other order compelling participation in a judicial program)**

The Americans with Disabilities Act prohibits discrimination against any qualified individual with a disability. The Tennessee Judicial Branch does not permit discrimination against any individual on the basis of physical or mental disability in accessing its judicial programs. In accordance with the Americans with Disabilities Act, if necessary, the Tennessee Judicial Branch will provide reasonable modifications in order to access all of its programs, services and activities to qualified individuals with disabilities.

If you require a modification to access the judicial program and/or have special needs because of a qualified disability, you must submit a written **Request for Modification** to the Local Judicial Program ADA Coordinator listed below at least five (5) business days prior to the date of the judicial program, if possible. A form is available from the Local Judicial Program ADA Coordinator or from the Tennessee Judicial Program ADA Coordinator.

If you need assistance, have questions or need additional information, please contact the Local Judicial Program ADA Coordinator:

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If you need assistance, have questions or need additional information, you may also contact the Tennessee Judicial Program ADA Coordinator:

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The Tennessee Judicial Branch Americans with Disabilities Act Policy Regarding Access to Judicial Programs, as well as a Request for Modification form may be found online at [www.tncourts.gov](http://www.tncourts.gov).



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**\*ALTERNATIVE NOTICE FORM**

**(To be sent along with Summons, Subpoenas, Juror Summons or other order compelling participation in a judicial program)**

For ADA assistance, please call (insert contact information for Local Judicial Branch ADA Coordinator).

\*This language is model language and may be amended for local court use.

Appendix 21

# WILLFUL AND WANTON DISREGARD FOR THE RULES OF JUDICIAL AND PROFESSIONAL CONDUCT

## PRINCIPAL RULES VIOLATED

<b>SECTION 1-TERMINOLOGY</b>	<b>1</b>
<b>JUDGES: (RJC) RULES OF JUDICIAL CONDUCT</b>	<b>2</b>
RULE 1.1 - COMPLIANCE WITH THE LAW	2
RULE 2.12 - SUPERVISORY DUTIES	3
RULE 2.15 - RESPONDING TO JUDICIAL AND LAWYER MISCONDUCT	4
RULE 2.2 - IMPARTIALITY AND FAIRNESS	5
RULE 2.3 - BIAS, PREJUDICE, AND HARASSMENT	6
RULE 2.6 - ENSURING THE RIGHT TO BE HEARD	7
<b>LAWYERS: (RPC) RULES OF PROFESSIONAL CONDUCT</b>	<b>8</b>
RULE 3.3 - CANDOR TOWARD THE TRIBUNAL	8
RULE 3.4 - FAIRNESS TO OPPOSING PARTY AND COUNSEL	13
RULE 3.5 - IMPARTIALITY AND DECORUM OF THE TRIBUNAL	15
RULE 4.1 - TRUTHFULNESS IN STATEMENTS TO OTHERS	17
RULE 8.3 - REPORTING PROFESSIONAL MISCONDUCT	20
RULE 8.4 - MISCONDUCT	21
<b>RULE 45 - AMERICANS WITH DISABILITIES ACT</b>	<b>22</b>



## Tenn. R. Sup. Ct. 1.0

### Rule 1.0 - TERMINOLOGY



**They Were BAD!**

(a) "Belief" or "believes" denotes that the person involved actually supposed the fact in question to be true. A person's belief may be inferred from circumstances.

(b) "Confirmed in writing," when used in reference to the informed consent of a person, denotes informed consent that is given in writing by the person or a writing that a lawyer promptly transmits to the person confirming an oral informed consent. See paragraph (e) for the definition of "informed consent." If it is not feasible to obtain or transmit the writing at the time the person gives informed consent, then the lawyer must obtain or transmit it within a reasonable time thereafter.



**LOTS of FRAUD!**

(c) "Firm" or "law firm" denotes a lawyer or lawyers in a law partnership, professional corporation, sole proprietorship or other association authorized to practice law; or lawyers employed in a legal services organization or the legal department of a corporation, government agency, or other organization.

(d) "Fraud" or "fraudulent" denotes an intentionally false or misleading statement of material fact, an intentional omission from a statement of fact of such additional information as would be necessary to make the statements made not materially misleading, and such other conduct by a person intended to deceive a person or tribunal with respect to a material issue in a proceeding or other matter.

(e) "Informed consent" denotes the agreement by a person to a proposed course of conduct after the lawyer has communicated adequate information and explanation about the material risks of and reasonably available alternatives to the proposed course of conduct.

(f) "Knowingly," "known," or "knows" denotes actual awareness of the fact in question. A person's knowledge may be inferred from circumstances.



**NOTHING AT ALL WAS REASONABLE!!!**

(g) "Partner" denotes a partner in a law firm organized as a partnership or professional limited liability partnership, a shareholder in a law firm organized as a professional corporation, a member in a law firm organized as a professional limited liability company, or a sole practitioner who employs other lawyers or nonlawyers in connection with his or her practice.

(h) "Reasonable" or "reasonably," when used in relation to conduct by a lawyer, denotes the conduct of a reasonably prudent and competent lawyer.

(i) "Reasonable belief" or "reasonably believes" when used in reference to a lawyer, denotes that the lawyer believes the matter in question and that the circumstances are such that the belief is reasonable.

(j) "Reasonably should know," when used in reference to a lawyer, denotes that a lawyer of reasonable prudence and competence would ascertain the matter in question.

(k) "Screening" and "screened" denote the isolation of a lawyer from any participation in a matter through the timely imposition of procedures within a firm that are reasonably adequate under the circumstances to protect information that the isolated lawyer is obligated to protect under these Rules or other law.

(l) "Substantial" or "substantially," when used in reference to degree or extent, denotes a material matter of clear and weighty importance.

## Tenn. R. Sup. Ct. 1.1

Rule 1.1 - Compliance with the Law

A judge shall comply with the law, including the Code of Judicial Conduct.

*Tenn. R. Sup. Ct. 1.1*





## Tenn. R. Sup. Ct. 2.12

### Rule 2.12 - Supervisory Duties

(A) A judge shall require court staff, court officials, and others subject to the judge's direction and control to act in a manner consistent with the judge's obligations under this Code.

(B) A judge with supervisory authority for the performance of other judges shall take reasonable measures to ensure that those judges properly discharge their judicial responsibilities, including the prompt disposition of matters before them.

*Tenn. R. Sup. Ct. 2.12*

#### Comment

[1] A judge is responsible for his or her own conduct and for the conduct of others, such as staff, when those persons are acting at the judge's direction or control. A judge may not direct court personnel to engage in conduct on the judge's behalf or as the judge's representative when such conduct would violate the Code if undertaken by the judge.

[2] Public confidence in the judicial system depends upon timely justice. To promote the efficient administration of justice, a judge with supervisory authority must take the steps needed to ensure that judges under his or her supervision administer their workloads promptly. For further guidance on supervisory duties, see Tennessee Code Annotated section 16-2-509(b) (duties of the presiding judge) and other applicable laws, such as Metropolitan Nashville Charter § 14.09A.



## Tenn. R. Sup. Ct. 2.15

### Rule 2.15 - Responding to Judicial and Lawyer Misconduct

(A) A judge having knowledge that another judge has committed a violation of this Code that raises a substantial question regarding the judge's honesty, trustworthiness, or fitness as a judge in other respects shall inform the appropriate authority.

(B) A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question regarding the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate authority.

(C) A judge who receives information indicating a substantial likelihood that another judge has committed a violation of this Code shall take appropriate action.

(D) A judge who receives information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct shall take appropriate action.

*Tenn. R. Sup. Ct. 2.15*

#### Comment

[1] Taking action to address known misconduct is a judge's obligation. Paragraphs (A) and (B) impose an obligation on the judge to report to the appropriate disciplinary authority the known misconduct of another judge or a lawyer that raises a substantial question regarding the honesty, trustworthiness, or fitness of that judge or lawyer. Ignoring or denying known misconduct among one's judicial colleagues or members of the legal profession undermines a judge's responsibility to participate in efforts to ensure public respect for the justice system. This Rule limits the reporting obligation to those offenses that an independent judiciary must vigorously endeavor to prevent.

[2] A judge who does not have actual knowledge that another judge or a lawyer may have committed misconduct, but receives information indicating a substantial likelihood of such misconduct, is required to take appropriate action under paragraphs (C) and (D). Appropriate action may include, but is not limited to, communicating directly with the judge who may have violated this Code, communicating with a supervising judge, or reporting the suspected violation to the appropriate authority or other agency or body. Similarly, actions to be taken in response to information indicating that a lawyer has committed a violation of the Rules of Professional Conduct may include but are not limited to communicating directly with the lawyer who may have committed the violation, or reporting the suspected violation to the appropriate authority or other agency or body.



**That Sounds like a  
Tattle Tale to ME!**



## Tenn. R. Sup. Ct. 2.2

### Rule 2.2 - Impartiality and Fairness

A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.

*Tenn. R. Sup. Ct. 2.2*

#### **Comment**

[1] *To ensure impartiality and fairness to all parties, a judge must be objective and open-minded.*

[2] *Although each judge comes to the bench with a unique background and personal philosophy, a judge must interpret and apply the law without regard to whether the judge approves or disapproves of the law in question.*

[3] *When applying and interpreting the law, a judge sometimes may make good-faith errors of fact or law. Errors of this kind do not violate this Rule.*

[4] *It is not a violation of this Rule for a judge to make reasonable accommodations to ensure self-represented litigants the opportunity to have their matters fairly heard.*



**Here we go with that BOLOGNA again!**



**They're Trying to Keep  
The White Man DOWN!**



**This Sounds Like  
DISCRIMINATION!**

### Tenn. R. Sup. Ct. 2.3

Rule 2.3 - Bias, Prejudice, and Harassment

(A) A judge shall perform the duties of judicial office, including administrative duties, without bias or prejudice.

(B) A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge's direction and control to do so.

(C) A judge shall require lawyers in proceedings before the court to refrain from manifesting bias or prejudice, or engaging in harassment, based upon attributes including but not limited to race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, against parties, witnesses, lawyers, or others.

(D) The restrictions of paragraphs (B) and (C) do not preclude judges or lawyers from making legitimate reference to the listed factors, or similar factors, when they are relevant to an issue in a proceeding.

*Tenn. R. Sup. Ct. 2.3*

**Comment**

[1] A judge who manifests bias or prejudice in a proceeding impairs the fairness of the proceeding and brings the judiciary into disrepute.

[2] Examples of manifestations of bias or prejudice include but are not limited to epithets; slurs; demeaning nicknames; negative stereotyping; attempted humor based upon stereotypes; threatening, intimidating, or hostile acts; suggestions of connections between race, ethnicity, or nationality and crime; and irrelevant references to personal characteristics. Even facial expressions and body language can convey to parties and lawyers in the proceeding, jurors, the media, and others an appearance of bias or prejudice. A judge must avoid conduct that may reasonably be perceived as prejudiced or biased.

[3] Harassment, as referred to in paragraphs (B) and (C), is verbal or physical conduct that denigrates or shows hostility or aversion toward a person on bases such as race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation.

[4] Sexual harassment includes but is not limited to requests for sexual favors, and other verbal or physical conduct of a sexual nature that



**What CarpeThagger  
MADE this RULE?**





### Tenn. R. Sup. Ct. 2.6

Rule 2.6 - Ensuring the Right to Be Heard

WITNESS

CAN YOU HEAR ME NOW??

(A) A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law.  
(B) A judge may encourage settlement of disputed matters in a proceeding but shall not act in a manner that coerces any party into settlement. A judge who participates in a judicial settlement conference shall not preside over the trial or any other contested issue in that matter.

Tenn. R. Sup. Ct. 2.6

#### Comment

[1] The right to be heard is an essential component of a fair and impartial system of justice. Substantive rights of litigants can be protected only if procedures protecting the right to be heard are observed.

[2] If a judge participates in the settlement of disputes, he or she should be careful that efforts to further settlement do not undermine any party's right to be heard according to law. Among the factors that a judge should consider when deciding upon an appropriate settlement practice for a case are (1) whether the parties have requested or voluntarily consented to a certain level of participation by the judge in settlement discussions, (2) whether the parties and their counsel are relatively sophisticated in legal matters, (3) whether the case will be tried by the judge or a jury, (4) whether the parties participate with their counsel in settlement discussions, (5) whether any parties are unrepresented by counsel, and (6) whether the matter is civil or criminal.

[3] Information obtained by a judge during a judicial settlement conference is confidential and is not to be used in the trial; judgment notwithstanding the verdict; or other issues in which the judge may not be participating. Therefore, it is not appropriate for a judge to participate in a proceeding does not result in the judge participating in any other contested issue in that matter.

[4] A judge shall not act as a mediator or conciliator as defined in Tenn. Code Ann. § 2-2-101, or participate in a pretrial conference.



NOW that's just damn FUNNY THERE!!!



### Tenn. R. Sup. Ct. 3.3

#### Rule 3.3 - Candor Toward the Tribunal

**BY LAW, any STATEMENTS or AFFIDAVITS written by a Lawyer, especially in an EX PARTE HEARING against a PRO SE LITIGANT, which FAILS to include ALL the MATERIAL FACTS KNOWN TO THE LAWYER, that will enable the tribunal to make an informed decision, whether or not the facts are adverse, constitute "FRAUD UPON THE COURT, BY OFFICER(S) OF THE COURT!"**

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal; or

(2) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or

(3) in an ex parte proceeding, fail to inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse.

(b) A lawyer shall not offer evidence the lawyer knows to be false, except that a lawyer who represents a defendant in a criminal proceeding, and who has been denied permission to withdraw from the defendant's representation after compliance with paragraph (f), may allow the client to testify by way of an undirected narrative or take such other action as is necessary to honor the defendant's constitutional rights in connection with the proceeding.

(c) A lawyer shall not affirm the validity of, or otherwise use, any evidence the lawyer knows to be false.

(d) A lawyer may refuse to offer or use evidence, other than the testimony of a client who is a defendant in a criminal matter, that the lawyer reasonably believes is false, misleading, fraudulent or illegally obtained.

(e) If a lawyer knows that the lawyer's client intends to perpetrate a fraud upon the tribunal or otherwise commit an offense against the administration of justice in connection with the proceeding, including improper conduct toward a juror or a member of the jury pool, or comes to know, prior to the conclusion of the proceeding, that the client has, during the course of the lawyer's representation, perpetrated such a crime or fraud, the lawyer shall advise the client to refrain from, or to disclose or otherwise rectify, the crime or fraud and shall discuss with the client the consequences of the client's failure to do so.

(f) If a lawyer, after discussion with the client as required by paragraph (e), knows that the client still intends to perpetrate the crime or fraud, or refuses or is unable to disclose or otherwise rectify the crime or fraud, the lawyer shall seek permission of the tribunal to withdraw from the representation of the client and shall inform the tribunal, without further disclosure of information protected by RPC 1.6, that the lawyer's request to withdraw is required by the Rules of Professional Conduct.

(g) A lawyer who, prior to conclusion of the proceeding, comes to know that the lawyer has offered false tangible or documentary evidence shall withdraw or disaffirm such evidence without further disclosure of information protected by RPC 1.6.

(h) A lawyer who, prior to the conclusion of the proceeding, comes to know that a person other than the client has perpetrated a fraud upon the tribunal or otherwise committed an offense against the administration of justice in connection with the proceeding, and in which the lawyer's client was not implicated, shall promptly report the improper conduct to the





Rule 3.3 - Candor Toward the Tribunal Tenn. R. Sup. Ct. 3.3



**THEY POOED ALL OVER THIS RULE!**

tribunal, even if so doing requires the disclosure of information otherwise protected by RPC 1.6.

(i) A lawyer who, prior to conclusion of the proceeding, comes to know of improper conduct by or toward a juror or a member of the jury pool shall report the improper conduct to the tribunal, even if so doing requires the disclosure of information otherwise protected by RPC 1.6.

(j) If, in response to a lawyer's request to withdraw from the representation of the client or the lawyer's report of a perjury, fraud, or offense against the administration of justice by a person other than the lawyer's client, a tribunal requests additional information that the lawyer can only provide by disclosing information protected by RPC 1.6 or 1.9(c), the lawyer shall comply with the request, but only if finally ordered to do so by the tribunal after the lawyer has asserted on behalf of the client all non-frivolous claims that the information sought by the tribunal is protected by the attorney-client privilege.

*Tenn. R. Sup. Ct. 3.3*

**Comment**

[1] This Rule governs the conduct of a lawyer who is representing a client in connection with the proceedings of a tribunal, such as a court or an administrative agency acting in an adjudicative capacity. It applies not only when the lawyer appears before the tribunal, but also when the lawyer participates in activities conducted pursuant to the tribunal's authority, such as pre-trial discovery in a civil matter.

[2] The advocate's task is to present the client's case with persuasive force. Performance of that duty while maintaining confidences of the client is qualified by the advocate's duty to refrain from assisting a client to perpetrate a fraud upon the tribunal. However, an advocate does not vouch for the evidence submitted in a cause; the tribunal is responsible for assessing its probative value.

**Representations by a Lawyer**

[3] An advocate is responsible for pleadings and other documents prepared for litigation, but is usually not required to have personal knowledge of matters asserted therein, for litigation documents ordinarily present assertions by the client, or by someone on the client's behalf, and not assertions by the lawyer. Compare RPC 3.1. However, an assertion purporting to be on the lawyer's own knowledge, as in an affidavit by the lawyer or in a statement in open court, may properly be made only when the lawyer knows the assertion is true or believes it to be true on the basis of a reasonably diligent inquiry. There are circumstances where failure to make a disclosure is the equivalent of an affirmative misrepresentation. The obligation prescribed in RPC 1.2(d) not to counsel a client to commit, or assist the client in committing a fraud, applies in litigation. Regarding compliance with RPC 1.2(d), see the Comment to that Rule and also Comments [1] and [7] to RPC 8.4.

**Misleading Legal Argument**

[4] Legal argument based on a knowingly false representation of law constitutes dishonesty toward the tribunal. A lawyer is not required to make a disinterested exposition of the law, but must recognize the existence of pertinent legal authorities. Furthermore, as stated in paragraph (a)(2), an advocate has a duty to disclose directly adverse authority in the controlling jurisdiction that has not been disclosed by the opposing party. The underlying concept is that legal argument is a discussion seeking to determine the legal premises properly applicable to the case.

**Ex Parte Proceedings**



**Rule 3.3 - Candor Toward the Tribunal Tenn. R. Sup. Ct. 3.3**

[5] Ordinarily, an advocate has the limited responsibility of presenting one side of the matters that a tribunal should consider in reaching a decision; the conflicting position is expected to be presented by the opposing party. However, in an ex parte proceeding, such as an application for a temporary restraining order or one conducted pursuant to RPC 1.7(c), there is no balance of presentation by opposing advocates. The object of an ex parte proceeding is nevertheless to yield a substantially just result. The judge has an affirmative responsibility to accord the absent party just consideration. As provided in paragraph (a)(3), the lawyer for the represented party has the correlative duty to make disclosures of material facts known to the lawyer and that the lawyer reasonably believes are necessary to an informed decision.



**Refusing to Offer or Use False Evidence**

[6] When evidence that a lawyer knows to be false is provided by a person who is not the client, the lawyer must refuse to offer it regardless of the client's wishes. The lawyer must similarly refuse to offer a client's testimony that the lawyer knows to be false, except that paragraph (b) permits the lawyer to allow a criminal defendant to testify by way of narrative if the lawyer's request to withdraw, as required by paragraph (f), is denied. Paragraph (c) precludes a lawyer from affirming the validity of, or otherwise using, any evidence the lawyer knows to be false, including the narrative testimony of a criminal defendant.

[7] As provided in paragraph (d), a lawyer has authority to refuse to offer or use testimony or other proof that the lawyer believes is untrustworthy. Offering such proof may reflect adversely on the lawyer's ability to discriminate in the quality of evidence and thus impair the lawyer's effectiveness as an advocate. Because of the special protections historically provided criminal defendants, however, this Rule does not permit a lawyer to refuse to offer or use the testimony of such a client because the lawyer reasonably believes the testimony to be false. Unless the lawyer knows the testimony will be false, the lawyer must honor the client's decision to testify.

**Wrongdoing in Adjudicative Proceedings by Clients and Others**

[8] A lawyer who is representing a client in an adjudicative proceeding and comes to know prior to the completion of the proceeding that the client has perpetrated a fraud or committed perjury or another offense against the administration of justice, or intends to do so before the end of the proceeding, is in a difficult position in which the lawyer must strike a professionally responsible balance between the lawyer's duties of loyalty and confidentiality owed to the client and the equally important duty of the lawyer to avoid assisting the client with the consummation of the fraud or perjury. In all such cases, paragraph (e) requires the lawyer to advise the client to desist from or to rectify the crime or fraud and inform the client of the consequences of a failure to do so. The hard questions come in those rare cases in which the client refuses to reveal the misconduct and prohibits the lawyer from doing so.

[9] Paragraph (f) sets forth the lawyer's responsibilities in situations in which the lawyer's client is implicated in the misconduct. In these situations, the Rules do not permit the lawyer to report the client's offense. Confidentiality under RPC 1.6 prevails over the lawyer's duty of candor to the tribunal. Only if the client is implicated in misconduct by or toward a juror or a member of the jury pool does the lawyer's duty of candor to the tribunal prevail over confidentiality. See paragraph (i).

[10] Although the lawyer may not reveal the client's misconduct, the lawyer must not voluntarily continue to represent the client, for to do so without disclosure of the misconduct would assist the client to consummate the offense. The Rule, therefore, requires the lawyer to seek permission of the tribunal to withdraw from the representation of the client. To increase the likelihood that the tribunal will permit the lawyer to withdraw, the lawyer is also required to inform the tribunal that the request for permission to withdraw is required by the Rules of Professional Conduct. This statement also serves to advise the tribunal that something is amiss without providing



**Rule 3.3 - Candor Toward the Tribunal      Tenn. R. Sup. Ct. 3.3**

*the tribunal with any of the information related to the representation that is protected by RPC 1.6. These Rules, therefore, are intended to preserve confidentiality while requiring the lawyer to act so as not to assist the client with the consummation of the fraud. This reflects a judgment that the legal system will be best served by rules that encourage clients to confide in their lawyers, who in turn will advise them to rectify the fraud. Many, if not most, clients will abide by their lawyer's advice, particularly if the lawyer spells out the consequences of failing to do so. At the same time, our legal system and profession cannot permit lawyers to assist clients who refuse to follow their advice and insist on consummating an ongoing fraud.*

*[11] Once the lawyer has made a request for permission to withdraw, the tribunal may grant or deny the request to withdraw without further inquiry or may seek more information from the lawyer about the reasons for the lawyer's request. If the judge seeks more information, the lawyer must resist disclosure of information protected by RPC 1.6, but only to the extent that the lawyer may do so in compliance with RPC 3.1. If the lawyer cannot make a non-frivolous argument that the information sought by the tribunal is protected by the attorney-client privilege, the lawyer must respond truthfully to the inquiry. If, however, there is a non-frivolous argument that the information sought is privileged, paragraph (h) requires the lawyer to invoke the privilege. Whether to seek an interlocutory appeal from an adverse decision with respect to the claim of privilege is governed by RPCs 1.2 and 3.1.*

*[12] If a lawyer is required to seek permission from a tribunal to withdraw from the representation of a client in either a civil or criminal proceeding because the client has refused to rectify a perjury or fraud, it is ultimately the responsibility of the tribunal to determine whether the lawyer will be permitted to withdraw from the representation. In a criminal proceeding, however, a decision to permit the lawyer's withdrawal may implicate the constitutional rights of the accused and may even have the effect of precluding further prosecution of the client. Notwithstanding this possibility, the lawyer must seek permission to withdraw, leaving it to the prosecutor to object to the request and to the tribunal to ultimately determine whether withdrawal is permitted. If permission to withdraw is not granted, the lawyer must continue to represent the client, but cannot assist the client in consummating the fraud or perjury by directly or indirectly using the perjured testimony or false evidence during the current or any subsequent stage of the proceeding. A defense lawyer who complies with these rules acts professionally without regard to the effect of the lawyer's compliance on the outcome of the proceeding.*

**False Documentary or Tangible Evidence**

*[13] If a lawyer comes to know that tangible items or documents that the lawyer has previously offered into evidence have been altered or falsified, paragraph (g) requires that the lawyer withdraw or disaffirm the evidence, but does not otherwise permit disclosure of information protected by RPC 1.6. Because disaffirmance, like withdrawal, can be accomplished without disclosure of information protected by RPC 1.6, it is required when necessary for the lawyer to avoid assisting a fraud on the tribunal.*



**LOTS OF FRAUD!**

**Crimes or Frauds by Persons Other than the Client**

*[14] Paragraph (h) applies if the lawyer comes to know that a person other than the client has engaged in misconduct in connection with the proceeding. Upon learning prior to the completion of the proceeding that such misconduct has occurred, the lawyer is required by paragraph (e) to promptly reveal the offense to the tribunal. The client's interest in protecting the wrongdoer is not sufficiently important as to override the lawyer's duty of candor to the court and to take affirmative steps to prevent the administration of justice from being tainted by perjury, fraud, or other improper conduct.*

**Misconduct By or Toward Jurors or Members of Jury Pool**



Rule 3.3 - Candor Toward the Tribunal Tenn. R. Sup. Ct. 3.3

[15] Because jury tampering undermines the institutional mechanism that our adversary system of justice uses to determine the truth or falsity of testimony or evidence, paragraph (i) requires a lawyer who learns prior to the completion of the proceeding that there has been misconduct by or directed toward a juror or prospective juror must reveal the misconduct and the identity of the perpetrator to the tribunal, even if so doing requires disclosure of information protected by RPC 1.6. Paragraph (i) does not require that the lawyer seek permission to withdraw from the further representation of the client in the proceeding, but in cases in which the client is implicated in the jury tampering, the lawyer's continued representation of the client may violate RPC 1.7. RPC 1.16(a)(1) would then require the lawyer to seek permission to withdraw from the case.

Crime or Fraud Discovered After Conclusion of Proceeding

[16] In cases in which the lawyer learns of the client's misconduct after the termination of the proceeding in which the misconduct occurred, the lawyer is prohibited from reporting the client's misconduct to the tribunal. Even though the lawyer may have innocently assisted the client to perpetrate the offense, the lawyer should treat this information as the lawyer would treat information with respect to any past crime a client might have committed. The client's offense will be deemed completed as of the conclusion of the proceeding. An offense that occurs at an earlier stage in the proceeding will be deemed an ongoing offense until the final stage of the proceeding is completed. A proceeding has concluded within the meaning of this Rule when a final judgment in the proceeding has been affirmed on appeal or the time for an appeal has passed.

Constitutional Requirements

[17] These Rules apply to defense counsel in criminal cases, as well as in other instances. However, the definition of the lawyer's ethical duty in such a situation may be qualified by constitutional provisions for due process and the right to counsel in criminal cases. The obligation of the advocate under these Rules is subordinate to any such constitutional requirement.

DEFINITIONAL CROSS-REFERENCES "Fraud" and "fraudulent" See RPC 1.0(d) "Knowingly," "known," and "knows" See RPC 1.0(f) "Material" See RPC 1.0(o) "Reasonably believes" See RPC 1.0(i) "Tribunal" See RPC 1.0(m)

**FRAUD UPON THE COURT**  
**(BY OFFICERS OF THE COURT)**

**OFFICIAL OPPRESSION (TCA § 39-16-403), COERCION & RETALIATION (42 USC § 12202 & 12203, TCA § 39-16-507) INTERFERENCE WITH COMMERCE BY EXTORTION (18 USC § 1951 (A)(B)(2)) FRAUDS (18 USC § 1341, 1957), U.S. CONST. AMEND. XIV, 18 USC § 153, 154, 156, 241, 242, 249..**





That's a JOKE RIGHT?

### Tenn. R. Sup. Ct. 3.4

Rule 3.4 - Fairness to Opposing Party and Counsel

A lawyer shall not:

- (a) unlawfully obstruct another party's access to evidence or unlawfully alter, destroy, or conceal a document or other material having potential evidentiary value. A lawyer shall not counsel or assist another person to do any such act; or
- (b) falsify evidence, counsel or assist a witness to offer false or misleading testimony; or
- (c) knowingly disobey an obligation under the rules of a tribunal, except for an open refusal based on an assertion that no valid obligation exists; or
- (d) in pretrial procedure, make a frivolous discovery request or fail to make a reasonably diligent effort to comply with a legally proper discovery request by an opposing party; or
- (e) in trial,
  - (1) allude to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence; or

- (2) assert personal knowledge of facts in issue except when testifying as a witness; or
- (3) state a personal opinion as to the justness of a cause, the credibility of a witness, the culpability of a civil litigant or the guilt or innocence of an accused; or

- (f) request a person other than a client to refrain from voluntarily giving relevant information to another party unless:
  - (1) the person is a relative or an employee or other agent of a client; and
  - (2) the lawyer reasonably believes that the person's interests will not be adversely affected by refraining from giving such information; or

- (g) request or assist any person to take action that will render the person unavailable to appear as a witness by way of deposition or at trial; or
- (h) offer an inducement to a witness that is prohibited by law; or pay, offer to pay, or acquiesce in the payment of compensation to a witness contingent on the content of his or her testimony or the outcome of the case. A lawyer may advance, guarantee, or acquiesce in the payment of:

**This is VIOLATED in almost every single SENTENCE SPOKEN IN COURT by Attorney Virginia Lee Story. All you need to do is CHECK the TRANSCRIPTS, while completely IGNORING the "MERITS" of her CLAIMS. Ms. Story's outrageous CLAIMS are just a STRATEGICALLY FRAUDULENT, baseless assassination of my character - which should have no affect upon her compliance with the RPC or the RULE of LAW, regardless. Hence, it's just a "Dog and Pony SHOW" to DISTRACT anyone seeking the TRUTH! (Remember, this was a DIVORCE, I've NEVER been arrested in my LIFE. In 25-YEARS, I didn't get a single TRAFFIC TICKET!) Instead, simply FOCUS on her LANGUAGE, while FACT CHECKING the LAWS she cites, as well as VERIFYING the CONTINUITY between the TWO sets of TRANSCRIPTS, and the subsequent Court Orders. (THEY DON'T MATCH, nor do they MATCH Ms. Story's Original COMPLAINT FOR DIVORCE!) IT IS ALL A FRAUDULENT SCAM, beyond your wildest imagination, which I can DEFINITELY PROVE, if ever given the CHANCE!**

**She shows NO MORE CARE about these RULES OF PROFESSIONAL CONDUCT than she shows for her Oath of Office or operating under ANY RULE OF LAW! (VERIFY for yourself, with both the 8/1/2019 Transcripts of Evidence, and the 8/29/2019 Transcripts of Evidence in R.v4 (495-523), HIDDEN by the CLERKS. (No matter what Elaine Beeler says, she has been a "family friend" of STORY for literally FORTY-YEARS and interfered MULTIPLE TIMES!)**



Rule 3.4 - Fairness to Opposing Party and Counsel Tenn. R. Sup. Ct. 3.4

[1] The procedure of the adversary system contemplates that the evidence in a case is to be marshaled competitively by the contending parties. Fair competition in the adversary system is secured by prohibitions against destruction or concealment of evidence, improperly influencing witnesses, obstructive tactics in discovery procedure, and the like.

[2] Documents and other items of evidence are often essential to establish a claim or defense. Subject to evidentiary privileges, the right of an opposing party, including the government, to obtain evidence through discovery or subpoena is an important procedural right. The exercise of that right can be frustrated if relevant material is altered, concealed, or destroyed. Applicable law in many jurisdictions makes it an offense to destroy material for the purpose of impairing its availability in a pending proceeding or one whose commencement can be foreseen.

Falsifying evidence is also generally a criminal offense. Paragraph (a) applies to evidentiary material generally, including computerized information. Applicable law may permit a lawyer to take temporary possession of physical evidence of client crimes for the purpose of conducting a limited examination that will not alter or destroy material characteristics of the evidence. In such a case, applicable law may require the lawyer to turn the evidence over to the police or other prosecuting authority, depending on the circumstances.

[3] Although paragraph (f) broadly prohibits lawyers from taking extrajudicial action to impede informal fact-gathering, it does permit the lawyer to request that the lawyer's client, and relatives, employees, or agents of the client, refrain from voluntarily giving information to another party. This principle follows because such relatives and employees will normally identify their interests with those of the client. See also RPC 4.2.

[4] With regard to paragraph (h), it is not improper to pay a witness's expenses or to compensate an expert witness on terms permitted by law. The common law rule in most jurisdictions is that it is improper to pay an occurrence witness any fee for testifying and that it is improper to pay an expert witness a contingent fee.

DEFINITIONAL CROSS-REFERENCES "Knowingly" See RPC 1.0(f) "Material" See RPC 1.0(o) "Reasonable" and "reasonably" See RPC 1.0(h) "Reasonably believes" See RPC 1.0(i) "Tribunal" See RPC 1.0(m)



**THEY TORE  
THIS RULE UP!!!**





**THIS IS BORING!**

## Tenn. R. Sup. Ct. 3.5

### Rule 3.5 - Impartiality and Decorum of The Tribunal

A lawyer shall not:

- (a) seek to influence a judge, juror, prospective juror, or other official by means prohibited by law;
- (b) communicate ex parte with such a person during the proceeding unless authorized to do so by law or court order;
- (c) communicate with a juror or prospective juror after discharge of the jury if:
  - (1) the communication is prohibited by law or court order;
  - (2) the juror has made known to the lawyer a desire not to communicate; or
  - (3) the communication involves misrepresentation, coercion, duress, or harassment;
- (d) conduct a vexatious or harassing investigation of a juror or prospective juror; or
- (e) engage in conduct intended to disrupt a tribunal.

*Tenn. R. Sup. Ct. 3.5*

#### Comment

[1] Many forms of improper influence upon a tribunal are proscribed by criminal law. Others are specified in the Tennessee Code of Judicial Conduct, with which an advocate should be familiar. A lawyer is required to avoid contributing to a violation of such provisions. For example, a lawyer shall not give or lend anything of value to a judge, judicial officer, or employee of a tribunal, except as permitted by RJC 3.13 of the Code of Judicial Conduct. A lawyer, however, may make a contribution to the campaign fund of a candidate for judicial office in conformity with RJC 4.4 of the Code of Judicial Conduct.

[2] During a proceeding a lawyer may not communicate ex parte with persons serving in an official capacity in the proceeding, such as judges, masters or jurors, unless authorized to do so by law or court order. Unless such a communication is otherwise prohibited by law or court order, paragraph (b) of this Rule would not prohibit a lawyer from communicating with a judge on the merits of the cause in writing if the lawyer promptly delivers a copy of the writing to opposing counsel and to parties who are not represented by counsel because that would not be an ex parte communication.

[3] Paragraph (b) also does not prohibit a lawyer from communicating with a judge in an ex parte hearing to establish the absence of a conflict of interest under RPC 1.7(c). In such proceedings, the lawyer is of course bound by the duty of candor in RPC 3.3(a)(3).

[4] A lawyer may on occasion want to communicate with a juror or prospective juror after the jury has been discharged. The lawyer may do so unless the communication is prohibited by law or a court order entered in the case or by a federal court rule, but must respect the desire of the juror not to talk with the lawyer. The lawyer may not engage in improper conduct during the communication. As the Court stated in *State v. Thomas*, 813 S.W. 2d. 395 (Tenn. 1991): "After the trial, communication by a lawyer with jurors is permitted so long as he [or she] refrains from asking questions or making comments that tend to harass or embarrass the juror or to influence actions of the juror in future cases. Were a lawyer to be prohibited from communicating after trial with a juror, he [or she] could

Rule 3.5 - Impartiality and Decorum of The Tribunal Tenn. R. Sup. Ct. 3.5

not ascertain if the verdict might be subject to legal challenge, in which event the invalidity of a verdict might go undetected." *Id.* (quoting *Tenn. Sup. Ct. R. 8, EC 7-291*). The Court went on to state in *Thomas* that "Rule 8 therefore allows post-trial interviews by Counsel with jurors on these matters without the prior approval of the trial court." *Id.* at 396. Although the Court's analysis in *Thomas* was based on an earlier version of Rule 8 (i.e., the Code of Professional Responsibility), the foregoing principles quoted from *Thomas* remain valid in the context of RPC 3.5.

[4a] A communication with, or an investigation of, the spouse, child, parent, or sibling of a juror or prospective juror will be deemed a communication with or an investigation of the juror or prospective juror.

[5] The advocate's function is to present evidence and argument so that the cause may be decided according to law. Refraining from abusive or obstreperous conduct is a corollary of the advocate's right to speak on behalf of litigants. A lawyer may stand firm against abuse by a judge, but should avoid reciprocation; the judge's default is no justification for similar dereliction by an advocate. An advocate can present the cause, protect the record for subsequent review, and preserve professional integrity by patient firmness no less effectively than by belligerence or theatrics.

[6] The duty to refrain from disruptive conduct applies to any proceeding of a tribunal, including a deposition. See RPC 1.0(m).

DEFINITIONAL CROSS-REFERENCES "Known" See RPC 1.0(f) "Tribunal" See RPC 1.0(m)



**I Think I'm Going to Take a NAP!**





## Tenn. R. Sup. Ct. 4.1

### Rule 4.1 - Truthfulness in Statements to Others

- (a) In the course of representing a client, a lawyer shall not knowingly make a false statement of material fact or law to a third person.
- (b) If, in the course of representing a client in a nonadjudicative matter, a lawyer knows that the client intends to perpetrate a crime or fraud, the lawyer shall promptly advise the client to refrain from doing so and shall discuss with the client the consequences of the client's conduct. If after such discussion, the lawyer knows that the client still intends to engage in the wrongful conduct, the lawyer shall:
  - (1) withdraw from the representation of the client in the matter; and
  - (2) give notice of the withdrawal to any person who the lawyer knows is aware of the lawyer's representation of the client in the matter and whose financial or property interests are likely to be injured by the client's criminal or fraudulent conduct. The lawyer shall also give notice to any such person of the lawyer's disaffirmance of any written statements, opinions, or other material prepared by the lawyer on behalf of the client and which the lawyer reasonably believes may be used by the client in furtherance of the crime or fraud.
- (c) If a lawyer who is representing or has represented a client in a nonadjudicative matter comes to know, prior to the conclusion of the matter, that the client has, during the course of the lawyer's representation of the client, perpetrated a crime or fraud, the lawyer shall promptly advise the client to rectify the crime or fraud and discuss with the client the consequences of the client's failure to do so. If the client refuses or is unable to rectify the crime or fraud, the lawyer shall:
  - (1) if currently representing the client in the matter, withdraw from the representation and give notice of the withdrawal to any person whom the lawyer knows is aware of the lawyer's representation of the client in the matter and whose financial or property interests are likely to be injured by the client's criminal or fraudulent conduct; and
  - (2) give notice to any such person of the lawyer's disaffirmance of any written statements, opinions, or other material prepared by the lawyer on behalf of the client and that the lawyer reasonably believes may be used by the client in furtherance of the crime or fraud.

*Tenn. R. Sup. Ct. 4.1*

**Comment**

**Misrepresentation**

[1] A lawyer is required to be truthful when dealing with others on a client's behalf, but generally has no affirmative duty to inform an opposing party of relevant facts or law. A misrepresentation can occur if the lawyer incorporates or affirms a statement of another person that the lawyer knows is false. Misrepresentations can also occur by





**This is Getting REDUNDANT!!!**

**Rule 4.1 - Truthfulness in Statements to Others Tenn. R. Sup. Ct. 4.1**

*partially true but misleading statements or omissions that are the equivalent of affirmative false statements. For dishonest conduct that does not amount to a false statement or for misrepresentations by a lawyer other than in the course of representing a client, see RPC 8.4.*

**Statements of Fact**

*[2] This Rule refers to statements of fact. Whether a particular statement should be regarded as one of fact can depend on the circumstances. Under generally accepted conventions in negotiation, certain types of statements ordinarily are not taken as statements of material fact. Estimates of price or value placed on the subject of a transaction and a party's intentions as to an acceptable settlement of a claim are ordinarily in this category, as is the existence of an undisclosed principal except where nondisclosure of the principal would constitute fraud. Lawyers should be mindful of their obligations under applicable law to avoid criminal and tortious misrepresentation.*

**Crime or Fraud by Client**

*[3] Paragraphs (b) and (c) provide guidance for lawyers who discover that a client intends to or is engaging in criminal or fraudulent conduct, and in some cases may even have used the lawyer's services to assist them commit the crime or fraud. To avoid assisting the client with the crime or fraud, the lawyer must advise the client to refrain from or to rectify the consequences of the criminal or fraudulent act. If the client refuses or is unable to do so, the lawyer must withdraw from the representation of the client in the matter. Additionally, this Rule mandates limited disclosures - notice of withdrawal or disaffirmance of written work product - in circumstances in which such disclosure is necessary for the lawyer to prevent the client from using the lawyer's services in furtherance of the crime or fraud. To this limited extent, then, this Rule overrides the lawyer's duties in RPCs 1.6, 1.8(b), and 1.9(c) prohibiting disclosure or use to the disadvantage of the client of information relating to the representation. Other than the disclosure mandated by this Rule, however, the lawyer must not reveal information relating to the representation unless permitted to do so by RPC 1.6.*

*[4] If a lawyer learns that a client intends to commit a crime or fraud under circumstances in which the lawyer will not assist the offense by remaining silent, paragraph (b) requires remonstrance with the client against the crime or fraud and requires withdrawal if the client does not desist from the course of conduct in question. Although the lawyer is not required to reveal the client's intended or ongoing fraud, the lawyer is required to communicate the fact that he or she has withdrawn from the representation of the client to any person who the lawyer reasonably believes knows of the lawyer's involvement in the matter and whose financial or property interests are likely to be damaged by the client's intended or ongoing misconduct. This communication is necessary to fully distance the lawyer from the client's misconduct. If the client's intended conduct is a crime, full disclosure of the crime is permitted by RPC 1.6(b), but such disclosure is not required by paragraph (b) of this Rule.*

*[5] In some cases, a lawyer will learn about a client's crime or fraud after he or she has innocently prepared and submitted statements, opinions, or other materials to third parties who will be adversely affected if the client persists with his or her misconduct. If the lawyer was misled by the client, some of these statements, opinions or materials may be false or misleading. Even though accurate, they may be necessary for the accomplishment of the client's crime or fraud. This presents the lawyer with a dilemma. Without the consent of the client, the lawyer may not correct the statements, opinions, or materials. That would violate the prohibition against revealing information related to the representation of the client. Yet to do nothing would allow the client to use the lawyer's work in the client's ongoing effort to consummate the fraud. To resolve this dilemma, paragraphs (b) and (c) do not require disclosure of the crime or fraud but only require that the lawyer effectively disengage from the crime or fraud by giving notice to affected persons of the lawyer's disaffirmance of the lawyer's work product that the lawyer reasonably believes may be used by the client in furtherance of the crime or fraud. See RPC 1.6(b)(1) and (2) for the*



Rule 4.1 - Truthfulness in Statements to Others Tenn. R. Sup. Ct. 4.1

circumstances in which the lawyer is permitted to reveal information for the purposes of preventing the client's crime or fraud, and RPC 1.6(b)(3) for the circumstances in which a lawyer may reveal a client's crime or fraud for the purpose of preventing, rectifying or mitigating its consequences. See RPC 1.6(c)(1) for the circumstances in which the lawyer is required to reveal information for the purpose of preventing reasonably certain death or substantial bodily harm.

[6] This Rule does not apply if the lawyer learns of the client's crime or fraud after the lawyer's representation in the matter is concluded. In such circumstances, the lawyer must comply with RPCs 1.6, 1.8(b), and 1.9(c) and may not make any disclosures concerning the client's crime or fraud, unless permitted or required to do so by those Rules. See, e.g., RPC 1.6(b)(3) (permitting disclosure to prevent, mitigate or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a crime or fraud in furtherance of which the client has used the lawyer's services); RPC 1.6(b)(4) (permitting disclosures to secure legal advice about compliance with these Rules); RPC 1.6(b)(5) (permitting disclosures to establish a defense to an allegation of misconduct); and RPC 1.6(c)(1) (requiring disclosure to prevent reasonably certain death or substantial bodily harm).

DEFINITIONAL CROSS-REFERENCES "Fraud" and "fraudulent" See RPC 1.0(d) "Knowingly" and "knows" See RPC 1.0(f) "Material" See RPC 1.0(o) "Reasonably believes" See RPC 1.0(i)





**THEY BROKE  
THIS RULE TOO!**

## Tenn. R. Sup. Ct. 8.3

### Rule 8.3 - REPORTING PROFESSIONAL MISCONDUCT

- (a) A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects, shall inform the Disciplinary Counsel of the Board of Professional Responsibility.
- (b) A lawyer who knows that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial question as to the judge's fitness for office shall inform the Disciplinary Counsel of the Board of Judicial Conduct.
- (c) This Rule does not require disclosure of information otherwise protected by RPC 1.6 or information gained by a lawyer or judge while serving as a member of a lawyer assistance program approved by the Supreme Court of Tennessee or by the Board of Professional Responsibility.

*Tenn. R. Sup. Ct. 8.3*

#### Comment

[1] Self-regulation of the legal profession requires that members of the profession initiate disciplinary investigation when they know of a violation of the Rules of Professional Conduct. Lawyers have a similar obligation with respect to judicial misconduct. An apparently isolated violation may indicate a pattern of misconduct that only a disciplinary investigation can uncover. Reporting a violation is especially important where the victim is unlikely to discover the offense.

[2] A report about misconduct is not required where it would involve violation of RPC 1.6. However, a lawyer should encourage a client to consent to disclosure where prosecution would not substantially prejudice the client's interests.

[3] If a lawyer were obliged to report every violation of the Rules, the failure to report any violation would itself be a professional offense. Such a requirement existed in many jurisdictions but proved to be unenforceable. This Rule limits the reporting obligation to those offenses that a self-regulating profession must vigorously endeavor to prevent. A measure of judgment is, therefore, required in complying with the provisions of this Rule. The term "substantial" refers to the seriousness of the possible offense and not the quantum of evidence of which the lawyer is aware. Similar considerations apply to the reporting of judicial misconduct.

[4] The duty to report professional misconduct does not apply to a lawyer retained to represent a lawyer whose professional conduct is in question. Such a situation is governed by the Rules applicable to the client-lawyer relationship.

[5] Information about a lawyer's or judge's misconduct or fitness may be received by a lawyer or judge in the course of that lawyer's or judge's participation in an approved lawyers or judges assistance program. In that circumstance, providing for an exception to the reporting requirements of paragraphs (a) and (b) of this Rule encourages lawyers and judges to seek treatment through such a program. Conversely, without such an exception, lawyers and judges may hesitate to seek assistance from these programs, which may then result in additional harm to their professional careers and additional injury to the welfare of clients and the public. The extent to which information received by a





**It'd be a LOT easier,  
IF they OBEYED a FEW!**

## Tenn. R. Sup. Ct. 8.4

### Rule 8.4 - MISCONDUCT

It is professional misconduct for a lawyer to:

- (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects;
- (c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation;
- (d) engage in conduct that is prejudicial to the administration of justice;
- (e) state or imply an ability to influence a tribunal or a governmental agency or official on grounds unrelated to the merits of, or the procedures governing, the matter under consideration;
- (f) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law; or
- (g) knowingly fail to comply with a final court order entered in a proceeding in which the lawyer is a party, unless the lawyer is unable to comply with the order or is seeking in good faith to determine the validity, scope, meaning, or application of the law upon which the order is based.

*Tenn. R. Sup. Ct. 8.4*

#### **Comment**

[1] Lawyers are subject to discipline when they violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another, as when they request or instruct an agent to do so on the lawyer's behalf. Paragraph (a), however, does not prohibit a lawyer from advising a client concerning action the client is legally entitled to take.

[2] Many kinds of illegal conduct reflect adversely on fitness to practice law, such as offenses involving fraud and the offense of willful failure to file an income tax return. However, some kinds of offenses carry no such implication. Traditionally, the distinction was drawn in terms of offenses involving "moral turpitude." That concept can be construed to include offenses concerning some matters of personal morality, such as adultery and comparable offenses, that have no specific connection to fitness for the practice of law. Although a lawyer is personally answerable to the entire criminal law, a lawyer should be professionally answerable only for offenses that indicate lack of those characteristics relevant to law practice. Offenses involving violence, dishonesty, breach of trust, or serious interference with the administration of justice are in that category. Although under certain circumstances a single offense reflecting adversely on a lawyer's fitness to practice - such as a minor assault - may not be sufficiently serious to warrant discipline, a pattern of repeated offenses, even ones that are of minor significance when considered separately, can indicate indifference to legal obligation.

[3] A lawyer who, in the course of representing a client, knowingly manifests, by words or conduct, bias or prejudice based on race, sex, religion, national origin, disability, age, sexual orientation, or socio-economic status violates paragraph (d) when such actions are prejudicial to the administration of justice. Legitimate advocacy respecting the foregoing factors does not violate paragraph (d).

## Tenn. R. Sup. Ct. 45

Rule 45 - Americans with Disabilities Act

The administrative director of the courts is authorized to establish any policies and procedures that may be necessary to assist courts with compliance with the Americans with Disabilities Act, 42 U.S.C. 12131 et. seq. The Supreme Court shall approve any such policies and procedures prior to implementation. Participants in the judicial system shall comply with any policies and procedures that may be implemented. This rule shall apply to all courts in this state, including without limitation, municipal courts, general sessions courts, juvenile courts, circuit courts, chancery courts, criminal courts, and the respective appellate courts.

*Tenn. R. Sup. Ct. 45*

*Commentary:*

*Policies and procedures that are implemented pursuant to this rule will be available by contacting the administrative office of the courts or accessing the website at [www.tncourts.gov](http://www.tncourts.gov).*





UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEFFREY RYAN FENTON,

Plaintiff,

Case No. 1:23-cv-01097-JMB-RSK

v.

Hon. Jane M. Beckering

VIRGINIA LEE STORY, et al.,

Defendants.

---

**NOTICE OF RECEIPT OF CASE**

NOTICE is hereby given that this case has been received, and filed in this court on October 13, 2023. It has been assigned the case number and judge set forth above.

CLERK OF COURT

Dated: October 17, 2023

By: /s/ E. Siskind  
Deputy Clerk

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEFFREY RYAN FENTON,

Plaintiff,

v.

VIRGINIA LEE STORY, et al.,

Defendants.

---

Case No. 1:23-cv-1097

HON. JANE M. BECKERING

**ORDER OF RECUSAL**

I recuse myself under 28 U.S.C. § 455(a) and (b)(4) from further participation in this case. The Clerk of Court shall reassign this case to another District Judge in accordance with the approved procedure.

**IT IS SO ORDERED.**

Dated: October 18, 2023

/s/ Jane M. Beckering  
JANE M. BECKERING  
United States District Judge



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEFFREY RYAN FENTON,

Plaintiff,

Case No. 1:23-cv-01097-PLM-RSK

v.

District Judge Paul L. Maloney

VIRGINIA LEE STORY, et al.,

Defendants.

---

**NOTICE REGARDING REASSIGNMENT OF CASE**

NOTICE is hereby given that this case has been reassigned to District Judge Paul L. Maloney for all further proceedings pursuant to Order (3). Judge Jane M. Beckering is no longer assigned to the case.

CLERK OF COURT

Dated: October 18, 2023

By: /s/ E. Siskind  
Deputy Clerk

FILED - LN

Name:

JEFFREY RYAN FENTON

October 18, 2023 11:01 AM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: EOD SCANNED BY: 620/10/18

Address:

17195 SILVER PEWY #150  
FENTON, MI 48430-3426

Phone Number:

(810) 735-7456

E-mail Address:

jeff.fenton@live.com

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

JEFFREY RYAN FENTON

PLAINTIFF(S)

CASE NUMBER: 1:23-CV-1097

v.

PRO SE APPLICATION FOR

ELECTRONIC FILING AND SERVICE

VIRGINIA LEE STORY, et al.

DEFENDANT(S)

As the (Plaintiff/Defendant) Plaintiff in the above-captioned matter, I respectfully ask the Court for permission to participate in electronic filing (e-filing) and electronic service in this case. I hereby affirm that:

1. I have reviewed Western District of Michigan Local Civil Rule 5.7 and the instructions available at the Pro Se E-Filing web page located on the Court's website.
2. I understand that if my application is approved, I hereby consent to receive electronic service of all electronically filed documents, and waive the right to receive documents in paper form. This means I will receive all documents by e-mail in this case and not by U.S. mail.
3. I understand that if my use of the Case Management/Electronic Filing (CM/ECF) system is unsatisfactory, my e-filing privileges may be revoked and I will be required to file and serve documents in paper.
4. I understand that I may not e-file on behalf of any other person in this or any other case.
5. I consent to Federal Rule of Civil Procedure 11 sanctions for any misconduct or misuse of electronic filing.
6. I have obtained a Public Access to Court Electronic Records (PACER) account.
7. I have regular access to the technical requirements necessary to successfully e-file:

Check all that apply:

- A computer with Internet access.
- An e-mail account to receive notifications from the Court and notices from the e-filing system, that I am able to access on a daily basis.
- A scanner to convert documents that are only in paper format into electronic files.
- A printer or copier to create required paper copies such as chambers copies.
- A word processing program to create documents; and
- A PDF reader and a PDF writer to convert word processing documents into PDF format, the only format in which documents can be e-filed.

Date:

10/16/2023

Signature:

[Handwritten Signature]



Jeff Fenton  
17195 Silver Parkway, #150  
Fenton, MI 48430

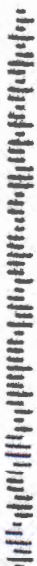
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United States District Court  
Western District of Michigan  
113 Federal Bldg  
315 W Allegan St  
Lansing, MI 48933

48933-151438



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEFFREY RYAN FENTON,

Plaintiff,

v.

VIRGINIA LEE STORY, et al.,

Defendants.

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Case No. 1:23-cv-1097

HONORABLE PAUL L. MALONEY

**ORDER OF REFERENCE**

**IT IS ORDERED** that under 28 U.S.C. § 636 and W.D. Mich. LCivR 72, this case is referred to Magistrate Judge Ray Kent for handling of all matters under § 636(a) and § 636(b)(1)(A) and for submission of recommendations on dispositive motions under § 636(b)(1)(B).

Dated: October 19, 2023

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge



UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

**FILED - LN**

October 20, 2023 9:44 AM  
CLERK OF COURT

U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: EOD SCANNED BY: ASD, 10/20

CASE NO. 1:23-cv-1097

JEFFREY RYAN FENTON,  
Plaintiff

v.

VIRGINIA LEE STORY et al.,  
Defendants

**MOTION TO MAINTAIN VENUE**

Plaintiff filed his associated complaint in this court for different reasons. This motion will describe those reasons and is brought pursuant to 28 U.S.C. § 1404 and § 1406.

**PLAINTIFF SUFFERS FROM GEPHYROPHOBIA**

Among several mental afflictions, Plaintiff suffers from gephyrophobia, or the fear of going over bridges. He has filed in this court for that reason. It was never his plan to move out of Tennessee, but since he was essentially forced out of that state by the defendants and into Michigan, he has—at this point in time—relocated to Michigan. When Plaintiff traveled here from Tennessee, he needed to take multiple Alprazolam (brand name: Xanax) in order to be able to cross the John A. Roebling Bridge.

Should this case proceed to trial, it would not be equitable for Plaintiff to participate remotely, which he would likely have to do in order to avoid the bridge, if the matter is moved to the Tennessee courts. Obviously, taking heavy medication on the morning of trial would severely and negatively impact Plaintiff's ability to present his case, which is one reason why proceeding in the Tennessee courts will be contrary to justice. Depositions are often conducted remotely these days, so that should not present a problem. Of course, all other aspects of discovery: exchanging interrogatories, requests for production of documents, and requests for admission can all be done remotely.

One of the reasons Plaintiff has brought this case is because the defendants have essentially robbed him of all his assets and he therefore cannot afford counsel, which makes pursuing the case in

Tennessee unfeasible since he must proceed *pro se*. Lodging for a multi-day trial, which the instant case would require, is also not economical for Plaintiff. Even if travel to that state were possible for him, another reason precludes the matter from proceeding in that state.

#### **BIAS AND VIOLATION OF DUE PROCESS IN TENNESSEE**

Plaintiff has been the victim of intense bias and malfeasance by many of the defendants. He has been denied due process and has never been able to present his case in the Tennessee court system, which includes some of the federal courts in that state. He has been blocked at every turn. This is yet another reason he has filed in this court. In order for justice to be served, there is no way that the federal Tennessee court system can hear this matter, particularly since some of the named defendants are state entities or public servants in the federal judicial system there. 28 U.S.C. § 1404(a) states that venue for a civil action can be located in any district “in the interest of justice.”

#### **SETTLED U.S. SUPREME COURT LAW PERMITS FILING IN PLAINTIFF’S HOME STATE**

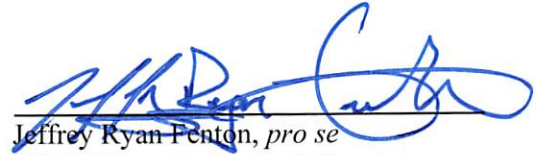
A plaintiff can file in federal court in the plaintiff’s home state based on diversity jurisdiction or by filing elsewhere and then seeking transfer to the plaintiff’s home state. See *Ferens v. John Deere Co.*, 494 U.S. 516 (1990). Plaintiff is a resident of Michigan and has filed the complaint pursuant to diversity of citizenship, 28 U.S.C § 1332.

#### **CONCLUSION**

Plaintiff requests that this case remain here in the U.S. District Court for the Western District of Michigan where Plaintiff can readily participate, or in the alternative and pursuant to 28 U.S.C. § 1406(a) and “in the interest of justice, transfer” the case to the U.S. District Court for the Northern District of Ohio or to any district court east of the Ohio River within a four-hour driving distance, but outside the state of Tennessee, which is where Plaintiff has repeatedly experienced bias, violations of his constitutional rights, and other wrongdoing.



October 18, 2023



Jeffrey Ryan Fenton, *pro se*  
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“Due to sloth, inattention or desire to seize tactical advantage, lawyers have long engaged in dilatory practices... the glacial pace of much litigation breeds frustration with the Federal Courts and ultimately, disrespect for the law.” *Roadway Express v. Pipe*, 447 U.S. 752 at 757 (1982)

“The federal rules reject the approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome and accept the principle that the purpose of pleading is to facilitate a proper decision on the merits.” The court also cited Rule 8(f) FRCP, which holds that “all pleadings shall be construed to do substantial justice.” *Conley v. Gibson*, 355 U.S. 41 at 48 (1957)

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“Society's commitment to institutional justice requires that judges be solicitous of the rights of persons who come before the court.” *Geiler v. Commission on Judicial Qualifications*, (1973) 10 Cal.3d 270, 286

Jeff Fenton  
17195 Silver Parkway, #150  
Fenton, MI 48430

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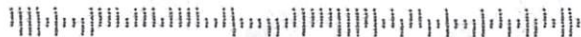
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United States District Court  
Western District of Michigan  
113 Federal Bldg  
315 W Allegan St  
Lansing, MI 48933

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEFFREY RYAN FENTON,

Plaintiff,

v.

VIRGINIA LEE STORY, *et al.*,

Defendants.

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Case No. 1:23-cv-1097

Hon. Paul L. Maloney

**REPORT AND RECOMMENDATION**

This is a civil action brought by *pro se* plaintiff Jeffrey Ryan Fenton of Fenton, Genessee County, Michigan, against 29 defendants located in Florida, Massachusetts, Tennessee, and an unknown location: Virginia Lee Story (South Dartmouth, MA); Michael Weimar Binkley (South Dartmouth, MA); Kathryn Lynn Yarbrough (South Dartmouth, MA); Elaine Beaty Beeler (South Dartmouth, MA); Sara B. McKinney (No address); Mary Elizabeth Maney Ausbrooks (White House, TN); Alexander Sergey Koval (Nashville, TN); Henry Edward Hildebrand III (Nashville, TN); Roy Patrick Marlin (College Grove, TN); Charles M. Walker (TN); Thomas E. Anderson (Brentwood, TN); Samuel Forrest Anderson (TN); Frank Goad Clement Jr. (Nashville, TN); Andy Dwane Bennett (TN); William Neal McBrayer (TN); James Michael Hivner (Bartlett, TN); John Brandon Coke (Nashville, TN); Sandra Jane Leach Garrett (Brentwood, TN); Story Abernathy Campbell Ashworth McGill Walters An Association of Attorneys is a law (“SACAMW”) (Franklin, TN); Rothschild & Ausbrooks, PLLC (“R&A”) (Nashville, TN); Bank Of America, N.A. (“BOA”) (Tampa FL); Spragins, Barnett, & Cobb, PLCNS (“SBC”) (Jackson, TN); BancorpSouth Bank (“BCSB”) (Franklin TN); Rubin Lublin TN, PLLC (“RL TN)

(Memphis, TN); State of Tennessee (Nashville, TN); Williamson County Tennessee (Franklin, TN); Tennessee Administrative Office of the Courts (Nashville, TN); Tennessee Court of Appeals Middle Division (Nashville, TN); and, Chancery Court For Williamson County Tennessee (Franklin, TN). *See* Compl. (ECF No. 1). For the reasons set forth below, this action should be dismissed.

### **I. Plaintiff's complaint**

Plaintiff's "Complaint for tortious conduct & injunctive relief" consists of 144 paragraphs of allegations (*id.* at PageID.1-33) and includes over 2,000 pages of exhibits (ECF Nos. 1-1 through 1-40, PageID.34-2090). Plaintiff's complaint appears to relate to events which occurred in Tennessee which include: incidents involving the marital home; rental income; his wife's secret bankruptcy filing; defaulted mortgages; Chancery Court proceedings in Williamson County, Tennessee; violations of the Tennessee Rules of Professional Conduct; a civil conspiracy between "defendants Story, Binkley, Ausbrooks, Yarbrough, Anderson, Marlin, Clement, the State, the Appellate Court, and the Chancery Court" involving "the lie-riddled fraudulent orders written by Story"; a criminal enterprise involving defendants Story, Binkley, Ausbrooks, Yarbrough, Anderson, Marlin, and the Chancery Court; violations of federal civil rights acts; violations of constitutional rights in the bankruptcy court and Chancery Court; and violations of the Americans with Disabilities Act and the Fair Housing Amendments Act of 1988. Compl. at PageID.1-31.

Plaintiff has alleged 11 counts (which he has mis-numbered) against defendants: Count One ("VIOLATION OF T.C.A. § 66-27-123, NOTICE TO TENANT OF INTENT TO CONVERT RENTAL UNITS TO UNITS FOR SALE"); Count Two ("VIOLATION OF T.C.A. § 39-16-507(A)3 COERCION OR PERSUASION OF WITNESS"); Count Two [sic] ("ABUSE



OF PROCESS”); Count Three (“INTENTIONAL/ NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS”); Count Four (“ACTUAL FRAUD/ CONCEALMENT”); Count Five (“CIVIL CONSPIRACY”); Count Six (“VIOLATION OF 18 U.S. CODE § 1962(C), RICO”); Count Seven (“VIOLATION OF 11 U.S. CODE § 341, MEETINGS OF CREDITORS AND EQUITY SECURITY HOLDERS”); Count Eight (“LIABILITY PURSUANT TO 42 U.S.C. § 1981, § 1982, § 1983, § 1985, § 1986, AND § 1988”); Count Nine (“VIOLATION OF CONSTITUTIONAL RIGHTS”); and, Count Ten (“VIOLATION OF AMERICANS WITH DISABILITIES ACT, 42 U.S.C. § 12101 *ET SEQ.* AND VIOLATION OF FAIR HOUSING AMENDMENTS ACT OF 1988, 42 U.S.C. § 3601 *ET SEQ.*”). Compl. at PageID.1-31.

For his relief, plaintiff seeks “declaratory and/or injunctive relief pursuant to 42 U.S.C. § 1983 and the U.S. Constitution against defendants Blinkey and Tennessee Chancery Court by directing them to abide by the law and Constitution and to vacate and expunge the illegal order(s) of protection issued by them against Plaintiff.” *Id.* at PageID.31-32. Plaintiff also seeks compensatory and punitive damages in excess of \$1,000,000.00. *Id.* at PageID.32.

## **II. Discussion**

Venue in a civil case is determined by 28 U.S.C. § 1391(b), which provides that:

A civil action may be brought in – (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.

Congress has instructed district courts to dismiss, or in the interest of justice to transfer, a case filed in the wrong district. *See* 28 U.S.C. § 1406(a) (“The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of

justice, transfer such case to any district or division in which it could have been brought.”). The decision of whether to dismiss or transfer a lawsuit based on improper venue is within the district court’s sound discretion. *First of Michigan Corporation v. Bramlet*, 141 F.3d 260, 262 (6th Cir. 1998).

Here, the Court should sua sponte dismiss this lawsuit for improper venue.

While courts generally refrain from sua sponte dismissing an action for improper venue, such dismissal is properly within the court’s discretion in certain circumstances. *Johnson v. Christopher*, 233 F. App’x 852, 853-54 (10th Cir. 2007) (affirming district court’s sua sponte dismissal without prejudice pursuant to § 1406(a) when proper venue was located in the Northern District of Oklahoma and case was filed in the Eastern District of Oklahoma in lieu of transferring action); *Davis v. Reagan*, No. 88-6419, 1989 WL 40200 at \*1 (6th Cir. 1989) (affirming sua sponte pre-service dismissal on grounds of improper venue in case filed in Tennessee, where proper venue was in the Western District of Pennsylvania); *Day v. City of Galveston*, 480 F. App’x 119, 121 (3d Cir. 2012) (sua sponte dismissal for improper venue harmless error when there is no conceivable basis for venue in the Eastern District of Pennsylvania and there is no indication that transferring instead of dismissing might be in the interests of justice); *Nation of Islam v. Penn. Dep’t of Corr.*, No. 12-82, 2012 WL 529546 at \*2 (W.D. Pa. Feb. 1, 2012) (report and recommendation that case be sua sponte transferred from the Western District of Pennsylvania to the Middle District of Pennsylvania on grounds of improper venue), *adopted in* 2012 WL 529238 (W.D. Pa. Feb. 17, 2012). Decisions, including those cited above, reflect that sua sponte dismissals occur even in actions brought by pro se plaintiffs, who normally receive the benefit of liberal pleading construction. *Id.* Courts also have held that an action may be dismissed under 28 U.S.C. § 1915 when improper venue is “obvious from the face of the complaint and no further factual record is required to be developed.” *Trujillo v. Williams*, 465 F.3d 1210, 1217 (10th Cir. 2006); *see also Lea v. Warren Cnty.*, No. 16-5329, 2017 WL 4216584, at \*2 (6th Cir. May 4, 2017) (affirming district court’s sua sponte dismissal for improper venue).

*Sifuentes v. Adobe*, No. 23-10128, 2023 WL 424716 at \*1 (E.D. Mich. Jan. 26, 2023).

Improper venue is obvious from the face of the complaint. Plaintiff’s complaint does not contain any allegations establishing venue in the United States District Court for the Western District of Michigan. None of the alleged “events or omissions giving rise to the claim” occurred in the Western District of Michigan. Plaintiff has no connection to the Western District



of Michigan; he resides in Genessee County Michigan, which is located in the United States District Court of the Eastern District of Michigan. *See* 28 U.S.C. § 102(a)(1). Finally, none of the defendants have a connection to the Western District of Michigan. As alleged in the complaint, defendants are located in Florida, Massachusetts, Tennessee, and an unknown location.

Plaintiff anticipated objections to venue, having filed an *ex parte* “Motion to maintain venue” (ECF No. 7) in which he states in pertinent part that, “Plaintiff is a resident of Michigan and has filed the complaint pursuant to diversity of citizenship, 28 U.S.C § 1332.” Motion at PageID.2098. Assuming that plaintiff is a resident of Fenton, Michigan for purposes of diversity jurisdiction pursuant to § 1332<sup>1</sup>, venue is improper in the Western District of Michigan. As discussed, none of “the events or omissions giving rise to the claim” occurred in the Western District (or in the State of Michigan). Plaintiff admits that he could have filed this lawsuit in Tennessee, but he relocated to Fenton, Michigan (located in the Easter District of Michigan) and wants to file the lawsuit in the Western District of Michigan, explaining that “[i]t was never his plan to move out of Tennessee, but since he was essentially forced out of that state by the defendants and into Michigan, he has – at this point in time – relocated to Michigan” and that “[h]e has been denied due process and has never been able to present his case in the Tennessee court system, which includes some of the federal courts in that state.” Motion at PageID.2097-2098. Plaintiff’s desire to avoid the state and federal courts in Tennessee does not establish venue in the Western District of Michigan.

Finally, there is no basis for the Court to transfer this lawsuit to any other federal district court. While some of the alleged incidents appear to have occurred in Williamson County,

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<sup>1</sup> 28 U.S.C. § 1332 provides in pertinent part, “(a) The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between- (1) citizens of different States[.]”

Tennessee (which is located in the United States District Court for the Middle District of Tennessee, 28 U.S.C. § 123(b)(1)), it is unclear from the complaint as to whether this would be an appropriate venue for plaintiff's claims against the 29 defendants. As discussed, some defendants are allegedly residents of specific cities in Tennessee, some defendants are allegedly residents of "Tennessee" (which is divided into three federal districts, *see* 28 U.S.C. § 123), and the other defendants are allegedly residents of Florida and Massachusetts. Based on plaintiff's allegations, including the number of defendants, the claims in this lawsuit, and the possible federal judicial districts where the defendants reside, the interest of justice will not be served by transferring this lawsuit to any one of the multiple federal judicial districts in which plaintiff could have filed this lawsuit.

For all of these reasons, this lawsuit should be dismissed for lack of venue because the Western District of Michigan is an improper venue for this case and the interest of justice does not require transferring this lawsuit to any other district. *See* 28 U.S.C. § 1406(a).

### III. RECOMMENDATION

Accordingly, I respectfully recommend that plaintiff's motion to maintain venue (ECF No. 7) be **DENIED** and that this lawsuit be **DISMISSED**.

Dated: December 13, 2023

/s/ Ray Kent  
RAY KENT  
United States Magistrate Judge

ANY OBJECTIONS to this Report and Recommendation must be served and filed with the Clerk of the Court within fourteen (14) days after service of the report. All objections and responses to objections are governed by W.D. Mich. LCivR 72.3(b). Failure to serve and file written objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEFFREY RYAN FENTON,

Plaintiff,

v.

VIRGINIA LEE STORY, et al,

Defendants.

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Case No. 1:23-cv-1097

Hon. Paul L. Maloney

**ORDER**

This matter is now before the Court on *pro se* plaintiff Jeffrey Ryan Fenton's application to be allowed the privilege of electronic filing and service in this Court (ECF No. 5). Plaintiff is proceeding under W.D. Mich. LCivR 5.7, which allows *pro se* litigants to e-file under the "Pro se E-Filing and Service Protocol" posted on the Court's Website. *See* W.D. Mich. LCivR 5.7(d)(ii)(A) and 5.7(i)(iii). Under this Protocol, "On a case by case basis, a judge may grant the privilege of electronic filing and service to a non-prisoner *pro se* party."

In determining whether to grant plaintiff this privilege, the Court has reviewed the filings in the present case. After performing this review, the Court concludes that allowing plaintiff the privilege of electronic filing is not warranted. Specifically, allowing plaintiff to engage in electronic filing will not promote the efficient operation of the Court or secure the just, speedy and inexpensive determination of this lawsuit. *See Valassis Communications, Inc. v. Aetna Casualty & Surety Company*, 97 F.3d 870, 873 (6th Cir. 1996) (local court rules "are designed as internal housekeeping rules to promote the efficient operation of the district courts"); W.D. Mich. LCivR

1.6 (this Court’s local rules “shall be construed to achieve an orderly administration of the business of this Court and to secure the just, speedy and inexpensive determination of every action”).

Accordingly, plaintiff’s application (ECF No. 5) is **DENIED**.

**IT IS SO ORDERED.**

Dated: December 13, 2023

/s/ Ray Kent  
RAY KENT  
United States Magistrate Judge



RS

Page 1

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

**FILED - LN**  
December 29, 2023 4:42 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: jlg / \_\_\_\_\_ SCANNED BY: 12/29/23

JEFFREY RYAN FENTON

Plaintiff,

Hon. Paul C. Maloney

Case No. 1:23-CV-1097

v.

VIRGINIA LEE STORY, et al,

Defendant(s)

- OBJECTION TO REPORT + RECOMMENDATION -  
I need more time please.

I also really critically need electronic filing and notification. I have ADHD + OCPD, letters from my doctors are on file. I did not receive the mail with the Report and Recommendation until the evening of 12/27/2023, just two days ago. I have been awake frantically working on a response for the past two days to try to keep my case from being dismissed. I have been working on my "First Amended Complaint" 12-16 hours per day 6-days/week since I filed the case on 10/13/2023. I need another week or two to finish that so I can file it and serve everyone.

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Page-2

The reason I filed this case in Lansing was because I spoke with the clerk Emily on 10/11/2023, and she told me that I could file it here and if the court decided that it needed to be forwarded to another court, she said you all would forward it to the correct court while preserving my file date to protect my interests. I live in the middle between Lansing & Detroit. Due to my anxiety disorder I have not been to Detroit in years. Since Emily was the first nice person who has tried to help me, I honestly thought I might have a chance at the court protecting me and helping reach justice after 4 years of literally being terrorized under color of law by people who literally have no interest in law or justice.



RB

Page-3

I don't say any of this to cause the judiciary disrepute or be disrespectful. I've gone into every court believing absolutely that they would help me obtain justice, yet my life remains destroyed by fraudulent "Default" judgments, when no "Default" is supposed to stand by the federal rules when a litigant is sincerely trying to defend his case.

It is absurd that with 1,000 pages of honest sworn testimony with clear and convincing evidence that every claim against me is substantially fraudulent, while fighting well over 1200 days 12-16 hrs per day that any reasonable party would conclude that I want and have done all in my power to ~~defend~~ defend my case, I never failed to plead. I have evidence of their crimes against me, far more than I have filed to date.

RS

Page-4

The TN COA should have vacated everything for void because I swore in testimony that Judge Binkley refused to hear my case and was bias against me, which is obvious with the evidence I provided them while I specifically pointed it out.

My father is a Lt. Colonel in the US Army and my grandpa was one of the elite 138 operation Alamo Scouts who rescued prisoners of war from behind enemy lines during WWII.

My family has earned the right to be treated with dignity and respect by our nations courts.

I need help! Both by Title-28 and Title-11 the attorneys should be sanctioned to pay for my counsel so that this can be successfully litigated. I humbly request you order counsel for me, the have stolen my



Freedom without due process or even notice by which I could attempt to defend myself against their fraudulent "Order of Protection" based on the UNSIGNED personal testimony of my ex-wife which I swear under penalty of Perjury is almost exclusively false.

I've never been arrested in my adult life, I've never touched my ex-wife in anger, and I have never threatened to

when I reported the misconduct between judge Binkley and story to the COA, Binkley and story retaliated by adding 5 more years to the fraudulent order of protection without notice motion, or cause, Nobody will even tell me based on what - 3 years after the extra 5 year retaliation and 4 years after I lived in MI and the first cast the fraudulent OP based on lies I have proven are lies on court record repeatedly.

I need help! At the very least I need time to finish my "First Amended Complaint" Please I've done all I can, everyday... FBI, DOJ/USTP, Police Reports. I must be allowed and protected in this case.

2/16

Page-6

I'm sorry about this mess. I've been awake 2 days straight trying to make this deadline.

I need electronic filing please.

IN MY ACCOMPANYING DECLARATION there is a web link to my recorded phone call for your verification of why I filed in this court. Please listen to it. I didn't do it for any improper reason or motive. Emily was very nice I did what I was told. No offense intended. I most object to any desire to discard my case. My desire ~~is~~ IS TO LITIGATE IT HERE. IF THAT IS IMPROPER THEN Please Transfer to the proper venue. Under Penalty of Perjury I swear this is all TRUE! Thank you 2/16



UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

**FILED - LN**

December 29, 2023 3:56 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

BY:      /      SCANNED BY:      / 12/29/23

**JEFFREY RYAN FENTON,**

PLAINTIFF

v.

**VIRGINIA LEE STORY ET AL.,**

DEFENDANTS

**CASE NO. 1:23-CV-1097**

**DECLARATION IN SUPPORT OF OBJECTION TO  
12/13/2023 REPORT AND RECOMMENDATION**

Plaintiff brings this testimony pursuant to F.R.Civ.P. 26(c).

I, Jeffrey Ryan Fenton, declare as follows:

1. I am over 18 years old and have personal knowledge of the following facts.
2. I don't have time to prepare a proper response, but I must file a response to try to protect my case, so please know that due to my disabilities, I am not able to move fast, clearly, and concisely. This will be choppy, but I am doing the best that I can on short notice.
3. I need electronic service. I do not have time to waste waiting on the mail, while if my box is full my mail carrier may not cram extra stuff in my box, so I may not be aware that I ever received a filing by the court.
4. With my disabilities, I have only a fraction of a percent of a chance at ever being able

Initials: 

to litigate this case to successful completion, not due to what is right, or true, or just, or legal, but because of the number of power players who I am against, who have already demonstrated their capacity to play the game, without regard for the truth, good faith, just motives, or anything of good and ethical repute.

5. I need every advantage I can get and every chance I can possibly be afforded to try to litigate my case pro se. Electronic notice and filing is absolutely critical to me having any real opportunity to defend my case in federal court.

6. I did not receive the "Report and Recommendation" by the Western District of Michigan until the evening of 12/27/2019.

7. I have been frantically staying awake for the past two days doing everything in my power to reply to this to protect my case, but I do not have the ability to move quickly. I have "Obsessive Compulsive Personality Disorder" (OCPD) and "Attention deficit Disorder" (ADHD). Time is my greatest liability, and I need every aid possible for me to have any chance at reaching justice in this case.

8. The reason that I filed this in Lansing rather than another Federal Court in the State of Michigan, is because I called the court first, I spoke with a clerk named "Emily" on 10/11/2023, and she told me that I could file it in Lansing, while she specifically told me that if it needed to be forwarded to a different District Court, that the Western District Court would forward my complaint wherever it needed to go, while preserving the filing date.



9. [https://www.rico.jeffenton.com/evidence/2023-10-11\\_usdc-wdm-emily-can-file-in-lansing.mp3](https://www.rico.jeffenton.com/evidence/2023-10-11_usdc-wdm-emily-can-file-in-lansing.mp3)

10. I don't have time right now to elaborate a lot, it is currently 1:37PM on 12/29/2023, and today is my final day to drive this to Lansing to file it at the court.

11. I've uploaded the recorded phone call from my conversation with Emily at the Western District of Michigan<sup>1</sup>, please listen to it to verify that I did exactly as I was instructed. While I was not informed that there was any deviation or risk of my case not being forwarded to the correct court, let alone being dismissed.

12. I have been working literally six days per week, 12-16 hours per day, since I filed my complaint on 10/13/2023 to write my "First Amended Complaint", which I hope to have done within the next week and a half to two weeks, so that I can hopefully serve it within the required 90 days. (My "First Amended Complaint" has massive improvements to fix the errors.)

13. I don't have that finished though I have made massive improvements, while I am providing references throughout my 2,000 page record, with great specificity, so that it will be easy to find citations without a need to read a lot of excess documentation.

14. I don't have time to tell you anymore now. I would love to, but I need more time please. I need to get my "First Amended Complaint" done before needing to spend more days simply

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<sup>1</sup> [https://www.rico.jeffenton.com/evidence/2023-10-11\\_usdc-wdm-emily-can-file-in-lansing.mp3](https://www.rico.jeffenton.com/evidence/2023-10-11_usdc-wdm-emily-can-file-in-lansing.mp3)

trying to keep you from dismissing my case.

15. I swear to you that I am not trying to disrepute the judiciary in any way. I have entered each court taking for granted that I would obtain justice. It is only after an absurd amount of crimes have been committed against me by the previous courts that I've been forced to research and learn about the crimes which have sadly been committed against me.

16. I wish I had time to explain more to you. Please give me more time. Justice is dependent upon me having a hearing and due process, which I have yet to be afforded, despite the mountain of "power" which I am up against.

17. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael Weimar Binkley, Attorney Virginia Lee Story, Attorney Kathryn Lynn Yarbrough, Attorney Mary Elizabeth Maney Ausbrooks, Attorney Alexander Sergey Koval, and Attorney Henry Edward Hildebrand, III, at the very least, participated in a racketeering conspiracy against my rights and my property, between the United States Bankruptcy Court Middle Tennessee District and the Williamson County Chancery Court, under the color of law, office, and official right, though wholly repugnant of the rule of law, both state and federal constitutions, the federal rules of civil procedure, the federal rules of bankruptcy procedure, a multitude of federal bankruptcy laws, along with gross violations of Title-18, Title-28, and Title-42 federal laws.

18. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael Weimar Binkley, Attorney Virginia Lee Story, Attorney Kathryn Lynn Yarbrough, Attorney Mary Elizabeth Maney Ausbrooks, Attorney Alexander Sergey Koval, and Attorney Henry Edward



Hildebrand, III, at the very least, further violated the federal judicial canons, the State of Tennessee's Rules of Judicial and professional conduct, as well as violating my natural inalienable human rights.

19. I Jeffrey Ryan Fenton swear under the penalty of perjury, the following crimes have been committed against me by those named above and other defendants in this case: Excessive "Fraud on the Court" by Officers of both the United States Bankruptcy Court for the Middle District of Tennessee and the Williamson County Chancery Court; who Conspired together (U.S.C. 18 § 241) to strategically Circumvent & deprive my lawful Rights and Property Under Color of Law (U.S.C. 18 § 242), Office, and Official Right (18 U.S.C. § 1951), using a Fraudulent Bankruptcy petition (18 U.S.C. § 157) where my property investments and interests where falsely denied and fraudulently misrepresented, while intentionally denying me and my two lawful tenants/roommates who had legitimate leasehold property interests, with an adversarial proceeding or at the very least notice and a hearing in Federal District or Bankruptcy Court (F.R.B.P. 7001 & 11 U.S.C. § 362), further committing Concealment of Assets; False Oaths and Claims; Bribery (18 U.S.C. § 152) to wrongfully deprive a qualified ADA individual - me (42 U.S.C. §§ 12202, 12203) with the loss of over a million dollars of lifetime enjoyment and net wealth in my property investments (18 U.S.C. §§ 1341, 1957), without notice or opportunity sufficient to save my property interests (42 U.S.C. § 1985), nor to attempt to mitigate my losses (42 U.S.C. § 1986), to the unwarranted, unnecessary, unrecoverable financial detriment of myself, and severe damage to my ex-wife, while it was entirely avoidable.

20. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael Weimar Binkley is guilty of “Official Oppression” for placing an unlawful 6-year “Order of Protection” against me based upon the false unsigned personal testimony of my ex-wife, and an almost exclusively fraudulent narrative fabricated by Attorney Virginia Lee Story.

21. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael Weimar Binkley and Attorney Virginia Lee Story are guilty of coercion my signature on a listing agreement under the threat of incarceration in Chancery Court on 8/29/2019.

22. I Jeffrey Ryan Fenton swear under the penalty of perjury that Attorney Virginia Lee Story is guilty of extortion by holding my personal property hostage, and even obtaining a federal court order from the United States Bankruptcy Court under fraudulent pretenses, to allow her to “sell” or “discard” my personal property, which she only had possession of due to her own lies and “Obstruction to Justice” in Chancery Court on 8/29/2019.

23. To clarify the extent of the abuse by Attorney Story, this Federal Court order to sell or discard of my personal property, was to intentionally supersede the State of Tennessee’s “Personal Property Exemption”, where any litigant can protect \$10k worth of their personal property from forfeiture in any civil suit in the State of Tennessee.

24. Attorney Story intentionally obtained the Federal Court order to supersede Tennessee State law, specifically while threatening to discard or sell my personal property (which she fraudulently forced me to leave behind on 8/29/2019 in Chancery Court), demanding thousands of dollars to pay for storage or prevent her from literally discarding my stuff.



25. This was so obscenely abusive for the sole purpose of causing me further harm. Without it being of financial benefit to any party. Just to further dominate and punish me for trying to stand up for my rights.

**26. I Jeffrey Ryan Fenton swear under the penalty of perjury, that I have been litigiously tortured by Judge Michael Weimar Binkley and Attorney Virginia Lee Story.**

27. I Jeffrey Ryan Fenton swear under the penalty of perjury, that every action in Williamson County Chancery Court Docket #48419B is VOID (not voidable). Due to Judicial Bias, failed Due Process of Law, Jurisdictional Violations, and an excessive amount of “Fraud On the Court by Officer(s) of the Court.”

28. Each of which have no “statute of limitations” for seeking corrections and a cure.

29. Executed completely in bad faith by Attorney Virginia Lee Story, an undisclosed close family friend of Presiding Judge Michael W. Binkley. Ms. Story strategically fabricated an almost exclusively “fraudulent narrative”, to falsely assassinate my character, before I ever entered the Court. To forcefully take from me nearly everything I spent my life working for, invested toward our retirement, devoted my life to, and cherished. Although of hardly any financial significance to her.

30. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael W. Binkley refused his Judicial Supervisory Duties (which are not optional) to correct Attorney Story’s false statements regarding matters of law, while he also refused to correct her almost non-

stop violations of the “Rules of Professional Conduct”.

31. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael W. Binkley allowed Ms. Story’s pleadings to seek further favor, dominance, and depravity, “under color of law”, instead of justice, as is required of all judicial pleadings, by the Federal Rules of Civil Procedure, the Judicial Canons, and the Rules of Professional Conduct. None of which Judge Binkley nor Attorney Story showed any care or submission toward, whatsoever.

32. It will require **multiple declarations** for me to articulate the depth and breadth of the crimes which were committed against me and my family “under color of law,” in Williamson County Chancery Court and the United States Bankruptcy Court for the Middle District of Tennessee.

33. Along with the damage which we have and continue to daily suffer.

34. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael W. Binkley and Attorney Virginia Lee Story have committed Hobbs Act “extortion of my property” followed by “extortion of my silence” against me.

35. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael Weimar Binkley and Attorney Virginia Lee Story and ADA “Coercion/Extortion/Threats/Retaliation/and Interference”.

36. I Jeffrey Ryan Fenton swear under the penalty of perjury, that my testimony has never been heard or considered, despite the fact that I have never failed to plead. I had over 250 pages



of sworn testimony including clear and convincing evidence that every action brought against me was substantially fraudulent, which I filed in the Chancery Court on 8/29/2019, before they wrongfully evicted me from my home, driving me to the State of Michigan to seek emergency shelter and provision in the 748 SqFt basement of my elderly mother who lives in Linden, Michigan.

37. I have done nothing but been literally terrorized by the court system so far. While not one single action was my fault. While every action is required by the Federal Rules of Civil Procedure to seek justice, yet not one filing by the defendants in this case ever did. Not in state court, not in federal court.

38. I can not respond to anything within 14 days. I don't even have time to do the research and understand what I'm replying to or how I should reply in fourteen days. Right now I will need to stay awake all night working on this, I'm sure that it will be rough at best, but I must drive to Lansing tomorrow to file this at the court in person, since I have been denied electronic filing, and since my 14-day deadline seems to be expiring today, the day that I've received this reply from the court.

39. I'm sorry, but I don't have TIME to edit this any better, it is almost 2pm on 12/29/2023. I must print and run to the court to file this to meet your deadline. I can and would like to do a better job, but I need TIME please.

40. The genesis of this complaint came colored as a domestic divorce action (with no children), executed in the Williamson County Chancery Court in the State of Tennessee.

41. Bundled along with a completely unnecessary, strategically engineered, precisely timed, fraudulent federal bankruptcy filing, to cheat me out of my property interests, while alleviating my ex-wife of all financial responsibility for paying the significant “transitional alimony” as we had repeatedly agreed upon.

42. The Chancery Court usurped—or the bankruptcy court abdicated—jurisdiction<sup>2</sup> over the marital home, in violation of 28 U.S. Code § 1334(e)(1),<sup>3</sup> which states: “The district court in which a case under title 11 is commenced or is pending shall have exclusive jurisdiction—of all the property, wherever located, of the debtor as of the commencement of such case, and of property of the estate.”

43. The Williamson County Chancery Court was leveraged by the defendants to literally circumvent the Federal Rules of Bankruptcy Procedure and an outrageous number of Federal Bankruptcy Laws, for the primary purpose of unlawfully depriving my multiple legitimate property interests in our marital residence, along with my two lawful tenants legitimate leasehold property interests in our marital residence, located at 1986 Sunnyside Drive, Brentwood, TN 37027, without equal and due process of law, while denying me the “adequate protection” required by the Bankruptcy Court.

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<sup>2</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882 (See e.g., In re Palmer, 78 B.R. 402, 405-06 (Bankr. E.D.N.Y. 1987))

<sup>3</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882



44. To be clear, the United States Bankruptcy Court was required to provide me and my two lawful tenants/roommates with notice and a hearing in either Federal Bankruptcy Court or in the Federal District Court, at the very beginning of the bankruptcy filing.

45. I had possession of the marital residence; my ex-wife had moved out the year prior. The bankruptcy court was required by Rule 7001 of the Federal Rules of Bankruptcy Procedure and 11 U.S.C. § 363 to provide both myself and my two lawful tenants/roommates with an “adverse proceeding” (or at the very least notice by which I could file an adverse proceeding) in order for the court to determine if the marital residence could be sold as part of the bankruptcy estate, in compliance with 11 U.S.C. § 363, as it was secretly and deceptively listed on my ex-wife’s bankruptcy petition, by her bankruptcy counsel, defendant Ausbrooks.

46. Nothing that happened in either court was legal, lawful, honorable, done in good-faith, equal, impartial, ethical, unbiased, fair, for the purposes claimed.

### WILLIAMSON COUNTY CHANCERY COURT

47. This case addresses harm caused in **Docket #48419B**,<sup>4</sup> filed on **6/4/2019**, by **Story, Abernathy, and Campbell, PLLP** in Williamson County Chancery Court, in the State of Tennessee. The Courthouse is located at 135 4th Avenue South, Franklin, TN 37064.

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<sup>4</sup> [https://rico.jefffenton.com/evidence/2019-06-04\\_fenton-chancery-court-record-48419b.pdf](https://rico.jefffenton.com/evidence/2019-06-04_fenton-chancery-court-record-48419b.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.641 ~ ECF No. 1-26, PageID.1369)

48. The Chancery Court Clerk & Master was **Attorney Elaine Beaty Beeler** (BPR# 016583), the presiding Chancellor was **Judge Michael Weimar Binkley** (BPR# 005930), while my opposing Counsel was **Attorney Virginia Lee Story** (BPR# 011700) and **Attorney Kathryn Lynn Yarbrough** (BPR# 032789) with **Story, Abernathy, and Campbell, PLLP**.

#### **U.S. BANKRUPTCY COURT - MIDDLE TENNESSEE**

49. The actions taken in Williamson County Chancery Court, were directly tied to, in coordination with, and allegedly based upon the **Chapter-13** bankruptcy petition filed by my ex-wife, in **Case 3:19-bk-02693<sup>5</sup>** in **The United States Bankruptcy Court for the Middle District of Tennessee**. Located at 701 Broadway Ste 260, Nashville, TN 37203-3983.

50. The Federal Bankruptcy Court Judge presiding was **Judge Charles M. Walker** (BPR# 019884). The Chapter-13 Trustee responsible was **Attorney Henry Edward Hildebrand, III** (BPR# 032168). While Bankruptcy Counsel for my ex-wife was **Attorney Mary Elizabeth Maney Ausbrooks** (BPR# 018097) and **Attorney Alexander Sergey Koval** (BPR# 029541) both of **ROTHSCHILD & AUSBROOKS, PLLC**.

#### **COURT OF APPEALS OF TENNESSEE AT NASHVILLE**

51. Upon appeal of the actions above in Chancery Court, I was the “Appellant” at the

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<sup>5</sup> [https://rico.jefffenton.com/evidence/2019-04-26\\_fenton-bankruptcy-record-3-19-bk-02693.pdf](https://rico.jefffenton.com/evidence/2019-04-26_fenton-bankruptcy-record-3-19-bk-02693.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-8, PageID.74 ~ ECF No. 1-11, PageID.478)



**Court of Appeals of Tennessee at Nashville, in No. M2019-02059-COA-R3-CV.<sup>6</sup>**

52. The Court of Appeals dismissed<sup>7</sup> my appeal, without correction, assistance or cure. Refusing to act upon the clearly disclosed judicial and attorney misconduct, either in error, bias, collusion, and/or negligence.

53. The Order dismissing my appeal was approved by the following panel of Judges: **Judge Frank Goad Clement** (BPR# 006619), **Judge Andy Dwane Bennett** (BPR# 009894), and **Judge William Neal McBrayer** (BPR# 013879).

**SUPREME COURT OF TENNESSEE AT NASHVILLE**

54. I attempted to escalate my appeal to the **Supreme Court of Tennessee at Nashville**, in No. **M2019-02059-SC-R11-CV<sup>8</sup>**, but my application for permission to appeal was denied.<sup>9</sup>

55. The United States Bankruptcy Court for the Middle District of Tennessee, was **not** allowed by the Federal Rules of Bankruptcy Procedure (Rule 7001) and related Bankruptcy Laws (11 U.S.C. § 362, § 363, § 541, § 542, § 1204, § 1205, § 1206, § 1207, § 1208) to force the sale of my home.

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<sup>6</sup> [https://rico.jefffenton.com/evidence/2021-01-19\\_fenton-seeking-help-tnsc-coa-aoc-bpr-fbi-ustp.pdf](https://rico.jefffenton.com/evidence/2021-01-19_fenton-seeking-help-tnsc-coa-aoc-bpr-fbi-ustp.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1684-1691)

<sup>7</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1693

<sup>8</sup> [https://rico.jefffenton.com/evidence/2021-01-19\\_fenton-motion-to-escalate-to-tnsc.pdf](https://rico.jefffenton.com/evidence/2021-01-19_fenton-motion-to-escalate-to-tnsc.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1370 ~ ECF No. 1-29, PageID.1683)

<sup>9</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1692

56. This was the strategic purpose for the Chancery Court in this conspiracy. The Chancery Court was literally used to circumvent the Federal Rules of Bankruptcy Procedure and Federal Bankruptcy Laws, to specifically deprive my property interests, though the State Courts were forbidden from exercising jurisdiction over property in a federal bankruptcy estate, especially when that property was core to the bankruptcy estate, as it was, and when the bankruptcy was filed 39-days before ANY action was filed in the Chancery Court.

57. The motion to sell the marital residence was “core” to the bankruptcy, which merely reinforces the fact that a Federal Court was required to hear the property deprivation to provide Plaintiff and his two lawful tenants/roommates with “adequate protection” throughout the bankruptcy.

58. In addition to that, the Bankruptcy Action was on the face fraudulent, with false details about the couple’s property interests in the Marital Residence. (Any action planted squarely inside a fraudulent action in another court, especially for the express purpose of intentionally deceiving both courts while circumventing the rights and protections required to be obeyed in that court prior to the deprivation of the property, is fraud sowed upon fraud and can beget nothing other than fraud compounded.

59. In addition to that, the Motion to Sell the Marital Residence written by defendant Yarbrough and argued in Chancery Court on 8/1/2019 by defendant Story, was highly abusive (harassing and abuse by process) and obscenely fraudulent.

60. There are so many violations of the court’s rules of professional conduct, the Federal



Rules of Civil Procedure, and the rule of law, the best way that I know to try to describe this is with an extremely heavy markup I did of Yarbrough and Story's motion. I don't do this to be offensive at all, I do this because due to my disabilities, I am not capable of articulating the extent of the fraudulent bad faith claims and actions taken, without using hundreds of pages or losing the attention of my audience, so I have resorted to trying to SHOW what I literally don't have the education, knowledge, legal training, and language to communicate in a non-offensive way which is believable without showing it. I beg the court to please hear this testimony, I call it "testimony in evidence", and absent showing my testimony using graphic arts inline, I know no other way in a static inline format such as this complaint.

61. As long as I could bring our mortgage payments current and keep them current, the Bankruptcy Trustee would have been forced to remove our marital residence from .

62. I had no idea that a single mortgage payment was missed or late.

63. I had a verbal contract with my ex-wife whereby she promised to pay our mortgage payments (and had prior to the defendants in this case) until a divorce settlement or decree, or until further notice, while I was never notified.

64. My ex-wife had changed all the financial account credentials, blocking me from having any direct access to our mortgages. She changed her email to one which she alone had access to. She changed the mailing address with our mortgage companies from our marital residence to her apartment which she rented after she moved out.

65. Short of the Bankruptcy Attorney and the Bankruptcy Trustee obeying the Federal Rules of Bankruptcy Procedure and Federal Bankruptcy Laws, or my ex-wife notifying me, I had no means of learning about the defaults, and was unconstitutionally deprived of any opportunity to save my property interests or to at the very least attempt to mitigate my losses prior to the forced deprivation of my property interests.

66. None of the aforementioned parties ever notified me, which I have confirmation from the DOJ/USTP who I requested do a bankruptcy fraud investigation.

67. After a pre-trial conference in the back of the Chancery Court on 8/1/2019, I told my counsel that I could borrow money from my mother to bring our mortgages current and to keep them current (roughly \$8k, less than I collectively spent on counsel for that day), provided I could continue living in my home.

68. As I asked my counsel if that might be possible, defendant Story overheard me and stated, **“No. It’s already too far along in the bankruptcy.”**

69. I was strategically deprived of the lawful notice and adequate protection required by the bankruptcy court.

70. Both my 5<sup>th</sup> and 14<sup>th</sup> Amendment rights as a United States Citizen were violated.

71. Furthermore, the Chancery Court placed a restraining order against me specifically forbidding me from contacting the bankruptcy court or our mortgage companies (under the guise that I somehow wished some harm upon my ex-wife’s finances).



72. According to Wikipedia<sup>10</sup>: “Williamson County<sup>11</sup> is ranked as the wealthiest county in Tennessee, as well as among the wealthiest counties in the country. In 2006 it was the 17th-wealthiest county in the country according to the U.S. Census Bureau, but the Council for Community and Economic Research ranked Williamson County<sup>12</sup> as America's wealthiest county (1st) when the local cost of living was factored into the equation with median household income. In 2010, Williamson County is listed 17th on the Forbes list of the 25 wealthiest counties in America.”

**BRENTWOOD MARITAL RESIDENCE WORTH \$900K<sup>13</sup> TODAY  
(ONLY OWED \$300K<sup>14</sup> ON MORTGAGES)**

73. My wife and I owned a beautiful home,<sup>15</sup> in coveted Brentwood Tennessee, which I had invested everything that I had into (including all my premarital retirement funds along with proceeds from my own premarital home).

74. Further complimented by nearly a decade of my “sweat equity”, including thousands of hours of labor, making and supervising roughly \$200k of improvements<sup>16</sup> in the property.

75. We purchased the home on 4/29/2011 for \$350k.<sup>17</sup>

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<sup>10</sup> [https://en.m.wikipedia.org/wiki/Williamson\\_County,\\_Tennessee](https://en.m.wikipedia.org/wiki/Williamson_County,_Tennessee)

<sup>11</sup> <https://williamsoncounty-tn.gov/>

<sup>12</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.497-500

<sup>13</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.485

<sup>14</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.505; ECF No.1-13, PageID.567

<sup>15</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.485, 494-512

<sup>16</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.508-511

<sup>17</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1416-1431

76. Together we had roughly \$550k invested into the home, while improvements to the property were also my primary work product for much of the time between 2011-2018, during which my wife built her career in architecture.

**REDFIN** 1-844-759-7732 Buy Rent Sell Redfin Premier Mortgage Real Estate Agents Feed

Search Overview Property details Sale & tax history Public Facts Schools Climate Favorite Edit Facts

OFF MARKET

Street View

32 photos

LAST SOLD ON FEB 14, 2020 FOR \$540,000

1986 Sunny Side Dr, Brentwood, TN 37027

**\$889,718** **4** **2.5** **2,640**  
Redfin Estimate Beds Baths Sq Ft

Estimated sale price  
**\$846,000 - \$1.01M**

**LOCATED AT THE NEXUS OF GREEN HILLS, BRENTWOOD, GRASSLAND, FRANKLIN!  
SURROUNDED BY HUNDREDS OF ACRES OF PROTECTED WOODLANDS!!!**

77. The home is currently worth \$900,000<sup>18</sup> and our sole asset and retirement investment,

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<sup>18</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.485, PageID.494-510

Initials:



while the Chancery Court forced the liquidation of the property for just \$324,360.

78. On information and belief, suspiciously, exactly what was due on the mortgages, plus the auctioning fees and closing costs, without one dollar to either myself or Ms. Fenton, for their life's savings, and the sum total of both of their premarital retirement investments.

79. The very first action, the foundation for every crime, unnecessary and unconscionable loss to follow, within this complaint, was a secretly executed, falsified, fraudulent Federal Bankruptcy petition (Case 3:19-bk-02693<sup>19</sup>), executed by bankruptcy specialist Mary Elizabeth Maney Ausbrooks, through her Nashville law firm, "ROTHSCHILD & AUSBROOKS, PLLC", allegedly on behalf of Plaintiff's ex-wife. While I was strategically deprived of lawful notice<sup>20</sup> about this bankruptcy action, which my home was secretly included in, *by special request*.

80. The truth is, that my wife, never needed to file bankruptcy,<sup>21</sup> and actually had a terribly difficult time "qualifying",<sup>22</sup> because she was a highly successful professional with a \$116k annual compensation package,<sup>23</sup> before the counsel within this complaint got involved.

81. Entered on 04/26/19 at 13:29:16, on Appendix D, Part 9, "Nonstandard Plan

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<sup>19</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-8, PageID.74 ~ ECF No. 1-11, PageID.478

<sup>20</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.565-566

<sup>21</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.569-576

<sup>22</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-8, PageID.74 ~ ECF No. 1-11, PageID.478

<sup>23</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1444

**Provisions”**, the following special request was included by defendant Ausbrooks<sup>24</sup>: *“Debtor moves for permission to sell real property located at 1986 Sunny Side Drive Brentwood, TN 37027 Williamson County, within 180 days of confirmation with no payments being made in the interim. The liens of Bank of America, NA and BanCorp South shall be satisfied in full and all remaining proceeds after Debtor's homestead exemption and costs of sale shall be paid to the Chapter 13 Trustee for the benefit of the estate.”*

82. To be clear, this language asked for permission to sell real property, owned by Ms. Fenton **and** one other equally deeded party, me, as “Tenancy by the Entirety”. Which can be easily verified by checking the property deed and/or the property tax records, where I am clearly named, the same being the legal responsibilities of both defendants Ausbrooks and Hildebrand.

83. Examining this request on the face, imploring no more than common sense and the most fundamental knowledge about natural and constitutional rights in the United States of America, this request does not appear that it could have reasonably been made in “good faith” by defendant Ausbrooks, for at least the following two reasons.

- First, this “special request” sought to sell the property owned by another. (While providing them nothing in return.)

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<sup>24</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-8, PageID.144



- Secondly, this language promised **all** the proceeds of the sale to benefit only the party making this request (and her creditors). Without any language indicating if or how the proposed sale could be of any benefit to the other equally deeded and mutually interested property owner.

84. That wreaked of foul-play straight off the face, yet defendant Ausbrooks filed it, while personally and professional certifying<sup>25</sup> that her request was well grounded in law and made in good-faith. Without bringing any of the obvious concerns and potential conflicts of interest to light. Without performing any due diligence to protect the property interests of Plaintiff and to provide both Plaintiff and his two lawful tenants/roommates with adequate protection, as is required by the bankruptcy code.

85. Defendant Ausbrooks was well aware that Ms. Fenton was still married. She also knew that the State of Tennessee is a “Deed of Trust” state, not a mortgage state. Meaning that the name on a mortgage does not define who owns the property or holds legal title to it, for that the property’s “Deed of Trust” is the sole instrument.

86. Furthermore, real property which is owned by husband and wife in the State of Tennessee, is by default held as “tenancy by entirety”<sup>26</sup>. Even if I wasn’t named on the deed of

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<sup>25</sup> FRBP Rule 9011 & 11 U.S.C. § 707

<sup>26</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.541-542

trust (which I was), the property still can't be sold with a clear title without me signing a Quit Claim Deed or some instrument conveying or forfeiting my "marital interest" in the property. While if that was to be compelled by **any court**, that could not be lawfully or ethically done without due process.

87. I was deprived of equal and due process of law in the Chancery Court.

88. Judge Michael W. Binkley was bias and discriminated against me.

89. Judge Michael W. Binkley and Attorney Virginia Lee Story have been repeatedly exposed in the Nashville newspapers for being "vacationing" and "partying" friends, though Judge Binkley has insisted this doesn't present a conflict of interest for litigants, that is a lie.

90. Many people have been caused substantial harm by the corruption of Judge Michael W. Binkley.

91. Judge Michael W. Binkley has a reputation for favoring those attorneys who work for the law firm which he originally founded prior to becoming a judge, along with Attorney Virginia Lee Story who Judge Binkley has a sordid past with.

92. There is a Facebook page setup by a litigant wounded long before I even knew his name:  
<https://www.facebook.com/judgebinkley>

93. The title of this Facebook page is "**Investigate Michael W. Binkley Circuit Court Judge**".



94. I never received notification that a single one of our mortgage payments had been missed.

95. Furthermore, it is unreasonable that Attorney Ausbrooks, Attorney Henry Edward Hildebrand, III, the Bankruptcy Court, or Attorney Virginia Lee Story could proprot to know or determine what investment or ownership interest I had in the marital residence, based upon the testimony of any one party, other than myself or a judge who had performed equal and due process, heard both sides, and equitably divided out our interests. None of which was done.

96. Prior to a final decree of divorce, marital interests in real property or debts can not be exactly divided between spouses or definitively determined, without complying with the Federal Rules of Bankruptcy Procedure and multiple Federal Bankruptcy Laws which required that both I and my Tenants be provided with lawful notice and hearings in either Federal District Court or in the Federal Bankruptcy Court, while providing adequate protection to both my multiple property interests as well as the tenants lawful leasehold interests, until an adversarial proceeding or other equal and due process has taken place.

97. Choosing not to notify me<sup>27</sup> or my two lawful tenants, while defendant Ausbrooks had requested that **all** our lawful property interests be deprived, the property liquidated, and the funds

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<sup>27</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.565-566

disbursed, entirely to the benefit of others, wasn't legal or ethical.

98. 11 U.S.C. § 707(4)(C)<sup>28</sup> The signature of an attorney on a petition, pleading, or written motion shall constitute a certification that the attorney has—

- (i) performed a reasonable investigation into the circumstances that gave rise to the petition, pleading, or written motion; and
- (ii) determined that the petition, pleading, or written motion—
  - (I) is well grounded in fact; and
  - (II) is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law and does not constitute an abuse under paragraph (1).

99. The actions between the State and Federal Courts were conducted under the pretense of “legal” actions, under the guise of a “domestic” civil divorce. Except that none of the actions taken were actually “legal”, in accordance with the rules of law.

100. Not state or federal laws, nor either of their constitutions.

101. Nor was any interest or care shown about any real merit involving our marriage or

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<sup>28</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1894



subsequent dissolution of that marriage, through a divorce.

102. In fact, discovery for our divorce was strategically prevented by the Chancery Court, and defendants Binkley, Beeler, and Story, from ever getting started.

103. Once defendants seized possession of the marital residence, they fraudulently terminated all litigation under the guise of “default” judgments, claiming that I chose to relocate to the State of Michigan and had no interest in participating further or defending myself in Chancery Court docket #48419B.

104. That is absurdly false. I’ve fought day and night for four years straight, filing well over a thousand pages of sworn pleadings combined with clear and convincing evidence between the Williamson County Chancery Court<sup>29</sup> and the Tennessee Court of Appeals at Nashville.<sup>30</sup>

105. None of which is remotely reasonable given the 250 +/- pages of sworn testimony<sup>31</sup> which I had filed in the Chancery Court on 8/29/2019, which included an ad hoc divorce answer and counter complaint, as well as an answer/rebuttal of the egregiously false claims in the “Ex Parte Order of Protection”.

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<sup>29</sup> [https://rico.jefffenton.com/evidence/2019-06-04\\_fenton-chancery-court-record-48419b.pdf](https://rico.jefffenton.com/evidence/2019-06-04_fenton-chancery-court-record-48419b.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.641 ~ ECF No. 1-26, PageID.1369)

<sup>30</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1370 ~ ECF No. 1-28, PageID.1664  
Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1665 ~ ECF No. 1-30, PageID.1793

<sup>31</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038

106. Defendant Story further accused me of “Dissipating Marital Assets” while demanding that I be forcefully removed from my home with only a five-day notice over a holiday weekend, while demanding that I be removed by the Sherriff’s Office.

107. Defendant Story insisted that I not even be allowed to take any of my personal property with me, not even my bed.

108. At 49 years old, after literally 25-years of being a hard working tax paying, peaceful Tennessee resident, without so much as a single traffic citation during all that time, they treated me like a hardcore felon while refusing to even tell me why or by rule, law, or legal code they could justify their actions in open court.

109. Defendants Story and Binkley only allowed me to take with me one carload of clothes, toiletries, and my medications with him. **That’s it.**

110. All under false claims that I was “dissipating marital assets”, which wasn’t even physically possible in any meaningful capacity, because defendant Story’s own complaint for divorce stated on page 2, *“Plaintiff would show that the parties have no assets other than personal property which has been divided with the exception of a few items. Husband and Wife have lived separately since April 2018.”*

**IV.**

**Plaintiff would show that the parties have no assets other than personal property which has been divided with the exception of a few items. Husband and Wife have lived separately since April 2018.**

*Husband refused to work and then not paid the mortgage payment as required with the mortgage payment in the title of the house. Wife has spoken to Plaintiff and made every attempt to have the house sold.*

**Wife’s Complaint for Divorce, Page 2, Section IV  
Case 1:23-cv-01097-PLM-RSK, ECF 1-17, PageID.648**



111. Every attempt by defendant Story to convert Plaintiff's personal property back into marital property, without bringing Ms. Fenton's personal property back to the marital residence, was in bad-faith, while the proceeds from the proposed sale clearly stated on the Bankruptcy petition, as follows:

112. *"The liens of Bank of America, NA and BanCorp South shall be satisfied in full and all remaining proceeds after Debtor's homestead exemption and costs of sale shall be paid to the Chapter 13 Trustee for the benefit of the estate."*<sup>32</sup>

113. Absolutely nothing was to benefit me.

114. They all ignored both my critical and essential property interests, my right and means of earning a living (rental income at that time), and my only hope of ever regaining the standard of living which I built by myself prior to the marriage.

115. Let alone the standard of living which we enjoyed throughout our 13-year marriage, or any chance of ever being able to retire.

116. My property was taken and liquidated, while my life was discarded like trash by the defendants.

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<sup>32</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-8, PageID.144

## RELENTLESS SEEKING A CURE TO GET FREE

2019-10-21 Final Decree of Divorce & OP by "Default" (Fraudulent Order of Protection)  
2019-10-21 Judge Binkley issued an "Order of Protection" against me from 10/21/2019 –  
10/21/2020  
2019-10-29 Closing: 1986 Sunnyside Drive, Brentwood, TN 37027  
2019-11-20 Tennessee Court of Appeals – Middle Division (Nashville) Divorce Appeal Filed  
2019-12-06 Fawn's Bankruptcy Converted from Chapter-13 to Chapter-7 (Case 3:19-bk-  
02693) Filed on 12/5  
2020-02-10 DOJ Disability Rights – No Legal or Financial Assistance  
2020-04-15 Debtor Discharged (Disposition: Standard Discharge)  
2020-06-15 Tennessee Court of Appeals (Appeal Filed)  
2020-07-02 John C McLemore – Chapter 7 Bankruptcy Trustee (Recorded Phone Call)  
2020-09-24 Order of Protection 5-Year Extension - NO Hearing, NO Motion, NO Notice  
2020-11-19 Tennessee Court of Appeals (Appeal Dismissed)  
2021-01-04 FBI Call Center – Not a Federal Matter  
2021-01-19 Motion to Escalate to the Tennessee Supreme Court Filed  
2021-04-07 Tennessee Supreme Court – Application Denied  
2021-04-09 Tennessee Court of Appeals – Mandate Issued  
2021-12-02 FBI Special Agent Mark Shafer (agent named on Corrupt Nashville Judge Casey  
Moreland's criminal complaint)  
2021-12-16 FBI Special Agent Mark Shafer (Emailed Evidence on Many Dates, through  
2023)  
2022-01-17 Emailed Paul Randolph<sup>33</sup> – Acting United States Trustee for Region 8, over the  
federal judicial districts of Kentucky and Tennessee (Requested Bankruptcy  
Fraud Investigation)  
2022-01-18 Reply Confirmation from Paul Randolph<sup>34</sup> USTP  
2022-03-10 Megan Seliber – USTP Trial Attorney (Recorded Phone Call)  
2022-03-15 Megan Seliber<sup>35</sup> – USTP Trial Attorney (Confirmed BK Court Failed to Provide  
Notice)  
2023-05-10 Board of Professional Responsibility – Sandy Garrett Chief Disciplinary Counsel  
Refusing to File Complaint against Story (Again)

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<sup>33</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.563

<sup>34</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.564

<sup>35</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.565-566

2023-12-13 Williamson County Sheriff's Office – Complaint #2023-35037, filed with Deputy Brady Cartwright. Spoke to Captain David Beard on 10/15/2023 (615) 790-5554 (Ext. 3227)

117. Studying the Court records from the Chancery Court side, it was next to impossible for me to discover what laws were broken in this massive fraud, that allowed them to steal his home. Finally, after three years of studying law, with the final year being spent almost exclusively studying the Federal Bankruptcy Code, Plaintiff finally discovered the heart of the fraud upon the court they had executed to steal his home.

118. Unlike looking from the Chancery Court side, where the question was “what laws did they break”, once I understood the Bankruptcy code, when examining the Federal Rules of Bankruptcy Procedure, along with the related Title-28, Title-11, and Title-18 laws, the question changed radically to “**what laws didn't they break?**” Everything done between the two courts was a flagrant violation of the Federal Rules of Bankruptcy Procedure and subsequent Federal Bankruptcy laws, not by his ex-wife either, **by the attorneys, trustee, and judges in both courts!**

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**IRREFUTABLE PROOF OF A CRIMINAL CONSPIRACY  
SPANNING STATE AND FEDERAL COURTS:**

119. No matter what any defendant named in this complaint claims, **the evidence of the conspiracy against rights and property, under the color of law, office, and official right**, by bad actors working in **both State and Federal Courts concurrently**, can be definitively proven beyond any “reasonable” margin of “error”, by applying the F.R.B.P., Title-28, Title-11, and Title-18 LAW,<sup>36</sup> to eight

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<sup>36</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1874-1924



facts which are irrefutably encapsulated in the Court Records:

- (1) The date the **bankruptcy**<sup>37</sup> was filed: **4/26/2019**.
- (2) The date the **divorce**<sup>38</sup> was filed: **6/04/2019**.
- (3) Plaintiff was a titled owner of the marital residence as **“tenancy by the entirety”**. Named on both the property deed<sup>39</sup> and tax records.<sup>40</sup>
- (4) Plaintiff was **never provided any notice or hearing**<sup>41</sup> by the bankruptcy counsel, the bankruptcy trustee, or by the bankruptcy court, as required in the Federal Rules of Bankruptcy Procedure Rule-7001.<sup>42</sup> As a result, these laws<sup>43</sup> were violated, broken, or not obeyed: 11

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<sup>37</sup> [https://rico.jeffenton.com/evidence/2019-04-26\\_wifes-ch13-petition-3-19-bk-02693.pdf](https://rico.jeffenton.com/evidence/2019-04-26_wifes-ch13-petition-3-19-bk-02693.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-8, PageID.74)

<sup>38</sup> [https://rico.jeffenton.com/evidence/2019-06-04\\_wifes-complaint-for-divorce-48419b.pdf](https://rico.jeffenton.com/evidence/2019-06-04_wifes-complaint-for-divorce-48419b.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.651)

<sup>39</sup> Property Deed

<sup>40</sup> Tax Records

<sup>41</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1881

<sup>42</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1898

<sup>43</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1874-1924

U.S.C. § 363<sup>44</sup>, 541<sup>45</sup>, 542<sup>46</sup>, 707<sup>47</sup>, 1203<sup>48</sup>, 1204<sup>49</sup>, 1205<sup>50</sup>, 1206<sup>51</sup>, 1207<sup>52</sup>, 1208<sup>53</sup>, 18 U.S.C. § 152<sup>54</sup>, 153<sup>55</sup>, 154<sup>56</sup>, 157<sup>57</sup>, 158<sup>58</sup>, 241<sup>59</sup>, 242<sup>60</sup>, 373<sup>61</sup>, 401<sup>62</sup>, 402<sup>63</sup>, 1951<sup>64</sup>, 28 U.S.C. § 1334<sup>65</sup>, 1927<sup>66</sup>

(5) The bankruptcy only reaped **\$44k**<sup>67</sup> worth of alleged “**bankruptcy relief**” for Ms. Fenton in the end, as shown on the “Chapter 7 Trustee’s Final Account and Distribution Report

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<sup>44</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1903-1906

<sup>45</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1908-1912

<sup>46</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1913

<sup>47</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1914

<sup>48</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1915

<sup>49</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1915

<sup>50</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1915-1916

<sup>51</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1916

<sup>52</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1916

<sup>53</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1916

<sup>54</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1917

<sup>55</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1918

<sup>56</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1918

<sup>57</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1919-1920

<sup>58</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1920

<sup>59</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1922

<sup>60</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1922

<sup>61</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1921

<sup>62</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1921

<sup>63</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1921

<sup>64</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1923

<sup>65</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882

<sup>66</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1893

<sup>67</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.569-576 (After subtracting out defendant Story’s outstanding fees, because without this scam there would be no need for defendant Story or her exorbitant fees.)

(TDR)”.<sup>68</sup> It probably cost her twice that in combined legal fees for the action. While forfeiting \$250k<sup>69</sup> in cash equity, that the couple had invested into their marital residence, as of the day of the auction. Plus another \$400k<sup>70</sup> of appreciation has been lost since.

(6) 11 U.S.C. § 363(h): “Notwithstanding subsection (f) of this section, **the trustee may sell both the estate’s interest**, under subsection (b) or (c) of this section, **and the interest of any co-owner in property** in which the debtor had, at the time of the commencement of the case, an undivided interest as a tenant in common, joint tenant, or **tenant by the entirety, only if— (3) the benefit to the estate** of a sale of such property free of the interests of co-owners **outweighs the detriment, if any, to such co-owners;”**

- a. The bankruptcy code measures what is a “benefit to the (bankruptcy) estate”, in how much **unsecured debt** a sale could pay off, above and beyond the mortgage notes on that property.
- b. The mortgage notes are secured by the property interest, they can stand alone and balance each other out, and need not be involved in bankruptcy at all. The only reason to compel a forced sale of the property (in this circumstance), would be to leverage

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<sup>68</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1883 (BK Case 3:19-bk-02693, Doc 136, Filed 1/26/2021, Page 1 of 8)

<sup>69</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.501-511

<sup>70</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.485



the debtor's equity in property to payoff **other unsecured debts**, after the mortgages on the property were completely satisfied.

- c. The forced sale of the marital residence was of absolutely **“no benefit to the bankruptcy estate.”** The home auctioned for exactly the amounts owed on the two mortgages, while this came of absolutely no surprise to the defendants, it was by design. The sale proceeds did not payoff one dollar of unsecured debts, nor put a dollar in either Plaintiff's pocket or Ms. Fenton's.
- d. Even if Plaintiff and Ms. Fenton had another \$100k-\$200k of equity in the property, it would be almost impossible for the forced sale to **“outweigh the detriment”** to Plaintiff. Plaintiff needed this property to survive and not be rendered broke, destitute, and homeless, while representing a million-dollar retirement nest-egg (investment) for Plaintiff. As long as Plaintiff could obtain the funds to pay the mortgages on time and keep them current, there is no lawful and ethical justification by which to deprive him of his opportunity and right to do so.

(7) The Chancery Court usurped—or the bankruptcy court abdicated—jurisdiction<sup>71</sup> over the marital home, in violation of 28 U.S. Code § 1334(e)(1),<sup>72</sup> which states: “The district court in which a case under title 11 is commenced or is pending shall have exclusive jurisdiction—of

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<sup>71</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882 (See e.g., In re Palmer, 78 B.R. 402, 405-06 (Bankr. E.D.N.Y. 1987))

<sup>72</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882

all the property, wherever located, of the debtor as of the commencement of such case, and of property of the estate.”

- (8) It is unreasonable that the Bankruptcy Court would have waited for any action in Chancery Court to deprive Plaintiff of his property interests and rights.
- a. There was no action filed in the Chancery Court at the creation of the Bankruptcy Estate. The bankruptcy court was required to immediately notify all parties with a legitimate property interest in the marital residence and provide hearings in federal court, to determine their property interests, and whether or not the marital residence could remain in the Bankruptcy Estate, or needed to be removed as a “burdensome asset”, prior to the 341 meeting of the creditors.
  - b. The bankruptcy was filed 39-days before any action was filed in the Chancery Court, and 97-days before Plaintiff first stood before defendant Binkley in the Chancery Court. It is wholly unreasonable that the bankruptcy court awaited any predetermined deprivation of property in the Chancery Court, rather than proceeding in proper form in the bankruptcy court, in compliance with bankruptcy rules and federal laws.
  - c. Since the bankruptcy court had exclusive jurisdiction, even if the time and care was taken for equal and due process in the Chancery Court (which it was not), the Bankruptcy Judge and Trustee would have known the action was improper and without lawful jurisdiction. They should have performed due diligence.

**SELF-TEACHING HIMSELF THE LAW**



120. Plaintiff was told that Attorney John Brandon Coke, the General Counsel for the Tennessee Supreme Court, Administrative Offices of the Courts, was the state court's top ADA authority at the time. During a recorded phone call<sup>73</sup> on 2/13/2020 with defendant Coke, at the 16:01 time marker during that call, Mr. Coke stated: "*...if you are going to be self-represented—and I know it's difficult because you can't afford an attorney... that's just how it is... you have to self-teach yourself. You've gotta go online. Read the law. That's all I can tell you here.*"

121. During a recorded phone call on 7/2/2020 with Chapter-7 Bankruptcy Trustee John C. McLemore<sup>74</sup>, Plaintiff reported the scam between the courts, that somehow, Plaintiff was cheated out of his property interests. While asking Trustee McLemore what processes or procedures on the bankruptcy side didn't take place correctly, as well as who was responsible for those tasks? The canned response by nearly everyone was "I can't be your attorney." Which wasn't what Plaintiff sought. Plaintiff sought information, not representation. He received very minimal information with the calls he made seeking help, but slowly and surely, he learned the sections of code which he literally devoted three-years to studying, almost all day every day, before he could unravel the layers of fraud committed by both State and Federal Courts, to intentionally obfuscate the facts between their separate court records.

122. At the 41:24 marker in the phone call with Attorney McLemore, he stated, "*They just completely walk completely all over your rights, in the state of Tennessee, or perhaps under the Bankruptcy Code - That's where your problem is, but I can't answer your question because I don't have enough*

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<sup>73</sup> [https://www.rico.jefffenton.com/evidence/2020-02-13\\_tnsc-aoc-ada-gc-john-code-phone-call.mp3](https://www.rico.jefffenton.com/evidence/2020-02-13_tnsc-aoc-ada-gc-john-code-phone-call.mp3)

<sup>74</sup> [https://www.rico.jefffenton.com/evidence/2020-07-02\\_ch7-bk-trustee-john-mclemore-phone-call.mp3](https://www.rico.jefffenton.com/evidence/2020-07-02_ch7-bk-trustee-john-mclemore-phone-call.mp3)



*information. I'm sorry."*

123. At 41:45 Plaintiff asked, *"Is there some place in the code that you would just point me to, where I could start reading myself to try to understand? Because again, I don't have any money to hire an attorney."*

124. At 41:58 Attorney McLemore responded, *"You are in an area of the law that is as difficult as tax. But write this down, 11 United States Code 363. And have a good nap because it's a long statute and you probably will not understand a great deal of it. That's where you look."*

125. It needs to be noted that in the statement above by the Chapter-7 Bankruptcy Trustee, John C. McLemore, where he stated, *"11 United States Code 363"*, Plaintiff completely missed the *"363"* part of his sentence, at the time. (It was only upon transcribing part of that phone call for this complaint that Plaintiff realized Mr. McLemore had provided him with such precise information.)

126. Plaintiff's overall "takeaway" from this conversation at the time, was that Mr. McLemore had confirmed his suspicion that *something improper* had taken place, but Plaintiff still did not understand where, how, or by whom. The idea that the bankruptcy code is extremely complicated stuck with Plaintiff, as well as Mr. McLemore's suggestion to read *"11 United States Code"*. After spending over 30 minutes on the call with Mr. McLemore, as he looked through the busy and complicated docket for the case, the overall tone which stuck with the Plaintiff at the time, was Mr. McLemore's statement, *"I can't answer your question because I don't have enough information. I'm sorry."*

127. Some of Trustee McLemore's statements about "notice" were also not understood by Plaintiff at that time. Throughout much of 2020-2021, Plaintiff sought help through the Tennessee Court of Appeals, the Tennessee Supreme Court, as well as the Tennessee Supreme Court's Admin Offices and Board of Professional Responsibility (BPR). Each attempt absolutely consumed and overwhelmed

Plaintiff's life, as he tried to learn how to communicate with them, their rules and procedures, while struggling to articulate a series of crimes which he still didn't even understand how to put language or explain. While most actions were buried under the most absurd domestic "dog and pony show" in the Chancery Court. Which literally served as nothing more than a strategic distraction, but one which Plaintiff spent all of his energy fighting against for the first few years. Until he finally learned enough to see past it. That none of it mattered. **That it was all fraud!**

128. Plaintiff later filed complaints for Bankruptcy Fraud and Racketeering with both the FBI<sup>75</sup> and the DOJ/USTP.<sup>76</sup> Plaintiff's third year of research was spent studying the bankruptcy codes and seeking a federal cure, since the State has ardently refused to help Plaintiff in any way. Month after month, year after year, as Plaintiff reached out for help and studied the law (as advised by Admin Office General Counsel John Brandon Coke) he slowly learned, as more pieces of the puzzle began to come together.

129. During the 7/2/2020 phone call with Bankruptcy Trustee John McLemore, Plaintiff was upset that Attorney McLemore hadn't provided him with any actionable information. However, now upon reflection, Trustee McLemore provided quite a bit, but unfortunately it wasn't understood by Plaintiff at that time. While like everyone else, Mr. McLemore refused to take responsibility or invest the energy to provide Plaintiff with a cure within his reach.

130. Looking back with fresh eyes: Trustee John McLemore stated, "*You are in an area of the law that is as difficult as tax. But write this down, 11 United States Code 363. And have a good nap because*

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<sup>75</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1704-1707; ECF No. 1-30, PageID.1771-1792

<sup>76</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1758-1761

*it's a long statute and you probably will not understand a great deal of it. That's where you look."*

131. They couldn't legally force the sale of the marital residence. It was of zero benefit to the "bankruptcy estate". The Trustee would have been ordered to remove it as a "burdensome asset".

<p><b>Adversary Proceeding in Federal District or Bankruptcy Court</b></p> <p><b>The Trustee was required to provide Plaintiff and his two tenants/roommates with notices &amp; hearings in federal court. Plaintiff had the following valid property interests: legal title, ownership, controlling, possession/enjoyment/use, beneficial, equitable, exclusion, investment, income, future. Plaintiff's tenants had secure one-year leasehold interests.</b></p> <p><b>Rule 7001. Scope of Rules of Part VII</b></p> <p>An adversary proceeding is governed by the rules of this Part VII. The following are adversary proceedings:</p> <p>(1) a proceeding to recover money or property, other than a proceeding to compel the debtor to deliver property to the trustee, or a proceeding under §554(b) or §725 of the Code, Rule 2017, or Rule 6002;</p> <p>(2) a proceeding to determine the validity, priority, or extent of a lien or other interest in property, but not a proceeding under Rule 3012 or Rule 4003(d);</p> <p>(3) a proceeding to obtain approval under §363(h) for the sale of both the interest of the estate and of a co-owner in property;</p> <p>(4) a proceeding to object to or revoke a discharge, other than an objection to discharge under §§727(a)(8),<sup>1</sup> (a)(9), or 1328(f);</p> <p>(5) a proceeding to revoke an order of confirmation of a chapter 11, chapter 12, or chapter 13 plan;</p> <p>(6) a proceeding to determine the dischargeability of a debt;</p> <p>(7) a proceeding to obtain an injunction or other equitable relief, except when a chapter 9, chapter 11, chapter 12, or chapter 13 plan provides for the relief;</p> <p>(8) a proceeding to subordinate any allowed claim or interest, except when a chapter 9, chapter 11, chapter 12, or chapter 13 plan provides for subordination;</p> <p>(9) a proceeding to obtain a declaratory judgment relating to any of the foregoing; or</p> <p>(10) a proceeding to determine a claim or cause of action removed under 28 U.S.C. §1452.</p>	<p><b>§ 363. Use, sale, or lease of property</b> <b>skipped</b></p> <p>(b)(1) The trustee, after notice and a hearing, may use, sell, or lease, other than in the ordinary course of business, property of the estate, trustee may not sell or lease personally identifiable information to any person unless—</p> <p>(e) Notwithstanding any other provision of this section, at any time, on request of an entity that has an interest in property used, sold, or leased, or proposed to be used, sold, or leased, by the trustee, the court, with or without a hearing, shall prohibit or condition such use, sale, or lease as is necessary to provide adequate protection of such interest. <b>(skipped)</b></p> <p>(f) The trustee may sell property under subsection (b) or (c) of this section free and clear of any interest in such property of an entity other than the estate, only if—</p> <p>(1) applicable nonbankruptcy law permits sale of such property free and clear of such interest; <b>(failed)</b></p> <p>(2) such entity consents; <b>(failed)</b></p> <p>(g) Notwithstanding subsection (f) of this section, the trustee may sell property under subsection (b) or (c) of this section free and clear of any vested or contingent right in the nature of dower or curtesy.</p> <p>(h) Notwithstanding subsection (f) of this section, the trustee may sell both the estate's interest, under subsection (b) or (c) of this section, and the interest of any co-owner in property in which the debtor had, at the time of the commencement of the case, an undivided interest as a tenant in common, joint tenant, or tenant by the entirety, only if— <b>(failed)</b></p> <p>(1) partition in kind of such property among the estate and such co-owners is impracticable;</p> <p>(2) sale of the estate's undivided interest in such property would realize significantly less for the estate than sale of such property free of the interests of such co-owners;</p> <p>(3) the benefit to the estate of a sale of such property free of the interests of co-owners outweighs the detriment, if any, to such co-owners; and <b>(failed)</b></p>
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**FACTS BASED UPON THE REAL MERITS OF OUR DIVORCE  
(NEVER MENTIONED IN EITHER OF THE CASES OUTLINED HEREIN)**

132. Contrary to traditional roles, Ms. Fenton was voluntarily the primary breadwinner<sup>77</sup> throughout our 13-year marriage.

133. Ms. Fenton is a MIT educated, licensed Tennessee Professional Architect<sup>78</sup> (ID Number: #102945), who is a “LEED Accredited Professional”, certified by the U.S. Green Building Council, as well as a “Certified Document Technologist” by the Construction Specifications Institute. Ms. Fenton also has a decade of leadership experience in the ACE Mentor Program, teaching high school students about careers in Architecture, Construction, and Engineering.

134. Prior to this action, my ex-wife had agreed that she would pay me “transitional alimony” in the amount of \$1,750 per month, for a duration of 6-years.

135. This amount was calculated at 22.5% of my ex-wife’s gross income, for a term equal to half the duration of our marriage, as we were advised was “fair” with all factors included.

136. This came at the advice of Ms. Sandy Arons, MBA (Certified Divorce Financial Analyst, Certified Financial Divorce Practitioner, Certified Financial Divorce Specialist, Financial

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<sup>77</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1444

<sup>78</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1444

Counselor and Mediator) whom I hired on July 12<sup>th</sup>, 2018.



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**MISSION STATEMENT**

To provide financial consulting services which help clients reach a fair divorce settlement and:

- Avoid unnecessary legal fees
- Reduce conflict
- Minimize the negative impact on your children and family

Initials: 

137. In an email<sup>79</sup> to me and Ms. Arons on 8/30/2018, Ms. Fenton stated in part, “**Our office lease is up in March 2020, and Ken (the owner of her business) really wants to retire, and so there’s no telling what my job will be after that.**”



138. The defendants in this case, waited until Ms. Fenton’s boss was about to retire, then they strategically timed the intentional non-payment of our mortgage payments without notice, followed by the fraudulent bankruptcy filing, while they intentionally falsified her bankruptcy petition, by lying about my ownership interests, concealing that I invested my pre-marital retirement savings into the purchase of our mutually purchased, jointly purchased, equally deeded as “tenancy by the entirety” marital residence, at 1986 Sunnyside Drive, Brentwood, TN 370127.

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<sup>79</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1941 ([https://rico.jeffenton.com/evidence/2018-08-30\\_wife-notifies-about-employers-retirement.pdf](https://rico.jeffenton.com/evidence/2018-08-30_wife-notifies-about-employers-retirement.pdf))

Initials: 



139. On January 1<sup>st</sup>, 2019 the “Trump Tax Reform”<sup>80</sup> went into effect. As a result, the alimony payments for divorces finalized prior to January 1<sup>st</sup>, 2019 were tax deductible, and were “grandfathered” for the duration of the alimony. Which meant in this case, the difference in Ms. Fenton being able to deduct \$21k per year from her gross income of \$94k+/- per duration of My ex-wife had previously agreed that she would pay me year, for the next six years, or being taxed upon all that money, as her earnings, as if she had personally benefitted from it.

140. If the divorce could not be finalized by the end of 2018, prior to the Trump Tax Reform taking place, Ms. Fenton calculated her income as follows:

➤ “90k gross – 31k taxes – 21k alimony = 38k net. Plus or minus.”<sup>81</sup>

141. In the end, this was what caused Ms. Fenton to become a prime candidate for “predatory litigation”. Willing to be exploited while throwing away nearly everything that we owned, in order to evade six years of financial responsibility, needing to earn \$90k plus per year, while taking home less than half that amount.

142. This had a tremendous impact upon Ms. Fenton’s tax bracket and the amount of income taxes which she was required to pay for the next six years. Because of this, Ms. Fenton absolutely demanded that for any “fair” amicable, uncontested divorce action, that the divorce

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<sup>80</sup> Trump Tax Reform

<sup>81</sup> [https://rico.jeffenton.com/evidence/2018-12-22\\_projected-gross-taxes-alimony-net.pdf](https://rico.jeffenton.com/evidence/2018-12-22_projected-gross-taxes-alimony-net.pdf)

needed to finalize prior to the end of 2018, or else she refused to cooperate.

143. The problem was, because of this, the Williamson County Chancery Court docket was nearly full for the remainder of the year, by the start of October 2018. (The court was busy with people trying to get their divorces finalized by the end of the year.)

144. Ms. Fenton presented the last proposed MDA which she was willing to entertain on 9/14/2018.

145. Although Plaintiff was very interested in this offer and tried to accept it, Ms. Fenton said it was still subject to review by her counsel as well as by another independent attorney, she hired for a document review, recommended by Sandy Arons, who was helping with the “Collaborative Divorce”.

146. The very first paragraph of Ms. Fenton’s offer stated, *“This offer is only good if we successfully sign this into a Marital Dissolution Agreement Contract as soon as possible AND the divorce Final Order is entered by the court before December 31, 2018. The financial tax incentives integral to this offer will not apply in 2019, and this Agreement is void if the divorce is not final in 2018.”*

147. This complaint seeks a cure for two fraudulent<sup>82</sup> predatory actions in Middle Tennessee during 2019 (four substantially fraudulent and vexatious legal attacks intertwined),

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<sup>82</sup> Fraud on the Court(s), by Members of the Court(s)

Initials: 

allegedly on behalf of my wife (at that time), “Fawn Tiffany Fenton”. (Hereinafter “Ms. Fenton”, “wife”, or “ex-wife”.) Though we were both financially destroyed as a result. To the enrichment of the State, the County, the Courts, the Counsel, the Auctioneers, Real Estate Investors, Real Estate Professionals, the Banks, and outsiders.

148. Unfortunately Ms. Fenton’s two attorneys shot-down the offer, before Plaintiff was permitted to accept it.

149. In an email from Ms. Fenton on 9/19/2018 she stated, *“I sent my attorney the draft of our contract to review also, and he just told me he thinks this agreement is totally nuts; it’s too complicated and is not at all in my best interest, and there are a thousand ways this could go wrong in the future, and he says he will not write it or facilitate it. He says if we do successfully write up an agreement for both of us to sign, we will have to do our best to format it with the structure and language that the courts expect to see for an MDA, and then I will have to file it myself, appending it to my file that is already active at the Williamson County courts, and I will have to get the court clerks to help me request a court date for a judge to look at the contract. My attorney also says, that even though we might both have agreed to this contract and both voluntarily signed it, the judge could still think it is too unequal or complicated and strike it down. My attorney says the judges will refuse to finalize a divorce degree if they personally do not like/agree with the MDA.”*

150. On the following day, on 9/20/2018 Ms. Fenton stated in another email, *“Tommy confirmed what my lawyer had said: this agreement is so far out of the ordinary, he thinks that even if we both sign it and agree to it, that the judges will strike it down. Tommy says the main problem is the long*



*timeline, the judges do not want open-ended issues after a divorce. He said that they will either want one person to get the house free and clear from the other, or they will order the sale of the house and tell us to split the proceeds...”*

151. Many of the divorce negotiations discussed between Plaintiff and his ex-wife included a means by which Plaintiff could keep the marital residence and continue to live in it, since Ms. Fenton had decided that she did not personally want to keep the home.<sup>83</sup> Despite Plaintiff's offer to give Ms. Fenton his equity for free.<sup>84</sup> So that one of them could enjoy the fruits of both their labor, rather than liquidating the home and losing all that they had worked for and invested.

152. Here is an excerpt of an email<sup>85</sup> written to me by my ex-wife on 8/4/2018: *“Hello, I am not theoretically opposed to you keeping the house, but I don't know how financially we could make that happen. Maybe there is a way we can make a deal like, I keep paying the current mortgage payment and 2nd mortgage payment for the next 6 years or so instead of giving you alimony payments. The financing would have to stay as it is in my name until you can rebuild your credit. When you can re-build your credit and have a job and all, then you could re-fi the house into your own name and cash me out my equity. That plan would suck for the credit card debt, though, as I was counting on the house equity (after sale of the house) to pay off both of our credit card debts. What are your thoughts.”*

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<sup>83</sup> [https://rico.jefffenton.com/evidence/2018-10-09\\_wife-does-not-want-to-keep-marital-residence.pdf](https://rico.jefffenton.com/evidence/2018-10-09_wife-does-not-want-to-keep-marital-residence.pdf)

<sup>84</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, 1472

<sup>85</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-26, PageID.1341

153. On 8/30/2018 Ms. Fenton emailed me a settlement proposal,<sup>86</sup> which included a budget whereby I could retain the marital residence, but I would need to obtain two roommates, one renting the large (spare) bedroom for **\$800 per month**, and another renting the smaller spare bedroom for **\$600 per month**. Then Ms. Fenton would pay the remainder of the household expenses, and I only needed to earn another \$248 per month to support myself.

154. This was to provide me with an opportunity to obtain the needed vocational rehabilitation, and to ease back into the workforce, without needing to immediately sink or swim.

155. I showed immediate interest in this offer and tried desperately to accept it, but Ms. Fenton's counsel advised her against it and she ultimately rescinded the opportunity.

156. I'm sorry I'm out of time. I had to copy and past some parts in, which have the language "Plaintiff" rather than speaking in first person. I understand this error, I just don't have time to fix it and to still make it to the court today. Please read the spirit and excuse my negligence.

157. This is a pro se filing, in which "technicalities" are only allowed to matter to the extent that JUSTICE is still the goal of the court.

158. Justice demands that this case be cured, that these criminals be held to account, and the courts they operate in provide new rules or mechanisms of transparency and accountability to

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<sup>86</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-26, PageID.1336-1337

protect the judicial integrity throughout the State of Tennessee, as well as protecting the people.

159. Again, I write none of this for any foul purpose. My goal is as it has been since my first day in court, to testify to the raw truth, despite what light that puts myself or anyone else in.

160. **I Jeffrey Ryan Fenton swear under the penalty of perjury, that I have filed 1,000 pages of cold raw truth in the State Courts of Tennessee, without yet being given the benefit (outside court) of one single word. While almost everything else filed in docket #49418B was substantially fraudulent. (Please help me!)**

161. "Pro se pleadings are to be considered without regard to technicality; pro se litigants' pleadings are not to be held to the same high standards of perfection as lawyers." *Jenkins v. McKeithen*, 395 U.S. 411, 421 (1959); *Picking v. Pennsylvania R. Co.*, 151 Fed 2nd 240; *Pucket v. Cox*, 456 2nd 233

162. "Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants. They should not raise barriers which prevent the achievement of that end. Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment." *Maty v. Grasselli Chemical Co.*, 303 U.S. 197 (1938)

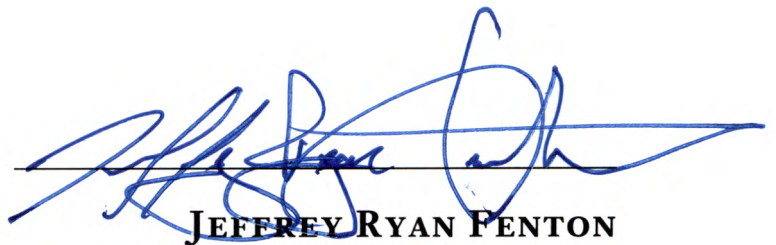




**DECLARATION**

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct, except as to matters herein stated to be on information and belief, and as to such matters, I certify as aforesaid that I verily believe the same to be true.

Executed on December 29, 2023 @ 2:10 PM EST



**JEFFREY RYAN FENTON**

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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

**FILED - LN**

December 29, 2023 3:56 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY:      /      SCANNED BY:     

**JEFFREY RYAN FENTON,**

PLAINTIFF

v.

**VIRGINIA LEE STORY ET AL.,**

DEFENDANTS

**CASE NO. 1:23-cv-1097**

**DECLARATION OF ADA ABUSE I WITNESSED IN CHANCERY COURT**

Plaintiff brings this testimony pursuant to F.R.Civ.P. 26(c).

I, Jeffrey Ryan Fenton, declare as follows:

1. I am over 18 years of age and have personal knowledge of the following facts.
2. These statements of fact are about Docket #48419B<sup>1</sup> filed on 6/4/2019, by Story, Abernathy, & Campbell, PLLP in Williamson County Chancery Court.
3. Ms. Story represented my wife at that time, Ms. Fawn Fenton, in a contested divorce action, which she initiated.

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<sup>1</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.641 ~ ECF No. 1-26, PageID.1369

Initials:

4. The Courthouse is located at 135 4th Avenue South, Franklin, TN 37064.

5. The Chancery Court Clerk & Master was Attorney Elaine Beaty Beeler (BPR# 016583), the presiding Chancellor was Judge Michael Weimar Binkley (BPR# 005930), while my opposing Counsel was Attorney Virginia Lee Story (BPR# 011700) and Attorney Kathryn Lynn Yarbrough (BPR# 032789) with Story, Abernathy, and Campbell, PLLP.

6. The first time I ever sat in the Courtroom of Chancellor Michael W. Binkley<sup>2</sup>, **I really liked him!** For most of the day.

7. Judge Binkley appeared well carried, articulate, intelligent, kind, gregarious.

8. Judge Binkley appeared to go out of his way to build-up, compliment, and encourage some witnesses and attorneys.

9. For most of the day, Judge Binkley carried himself in a manner where I felt as though he was speaking directly to and with me.

10. I laughed with others in the Court, and I genuinely felt connected to Judge Binkley, his work, and the appearance of fairness and Justice in the Court.

11. On information and belief, my perception was that Chancellor Michael W. Binkley has

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<sup>2</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1184 ~ ECF No. 1-25, PageID.1225  
August 1<sup>st</sup>, 2019 – Fenton v. Fenton – Docket #48419B (COA #M2019-02059-COA-R3-CV)



the ability to effectively speak and connect with his audience in the court room.

12. I honestly admired and felt encouraged by Judge Binkley's performance for much of the day.

13. I felt like he was right there with me. That he was down to earth, authentic, responding as I did in my gut, to the same stimuli.

14. I did not perceive Judge Binkley as having a stern, demeaning, or pretentious affront, holding himself above others. Until almost the end of that afternoon, on August 1<sup>st</sup>, 2019.

15. My case was to be heard the very last, since during rollcall we anticipated needing the most time.

16. What felt like a punch in my gut was when Judge Michael W. Binkley got to the gentleman directly before my case was to be heard.

17. That was when my entire perspective of Judge Binkley changed, quickly, dramatically, and with good cause.

18. This was an intense day for me in Court. Much of my life relied upon the Court's fairness.

19. I had exhausted \$9,500 in legal fees to date, the majority of which I had no choice but to borrow from my elderly mother's retirement, if I was to have counsel.

20. My mother has been the single mother of five children for much of her life.

21. My mother is a retired pediatric intensive care nurse, who is not at all wealthy, and lives

by very humble means.

22. Her home was built in 1950 for just \$8,752.87, including the property, materials, labor, and landscaping.

23. My mother's tiny home is roughly 748 square-feet and is currently assessed at \$52,600, as of 2023.

24. On information and belief, my ex-wife's mother lives in a \$4,000,000 home, in Tiburon, California. An affluent peninsula in the San Francisco Bay area. To the best of my knowledge, it is completely paid for, and I anticipate that she will receive a sizable inheritance.

25. My marital residence with Ms. Fenton was located at 1986 Sunnyside Drive, Brentwood, TN 37027.

26. All of my premarital retirement funds were invested into our mutually purchased and equally deeded marital residence<sup>3</sup>, as "tenancy by the entirety".<sup>4</sup>

27. There was never a level playing field during my case in the Chancery Court.

28. Judge Michael W. Binkley was bias<sup>5</sup> against me and allowed Attorney Virginia Lee Story

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<sup>3</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1416-1430

<sup>4</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.541-542

[https://www.rico.jefffenton.com/evidence/2011-04-29\\_fenton-marital-residence-tenancy-by-entirety.pdf](https://www.rico.jefffenton.com/evidence/2011-04-29_fenton-marital-residence-tenancy-by-entirety.pdf)

<sup>5</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.692-702

to harass and abuse me in court.

29. Judge Michael W. Binkley failed to perform his judicial supervisory duties and refused to stop, correct, or report Attorney Virginia Lee Story's almost non-stop violations of the State of Tennessee's "Rules of Professional Conduct."<sup>6</sup>

30. Such as "testifying as a witness", which Attorney Story did to nearly everything she spoke about during court on 8/1/2019, while she was a witness to absolutely none of it.

31. Tenn. R. Sup. Ct. 3.4 (Rule 3.4) Fairness to Opposing Party and Counsel

A lawyer shall not: (e) in trial,

(1) allude to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence; or

(2) assert personal knowledge of facts in issue except when testifying as a witness; or

(3) state a personal opinion as to the justness of a cause, the credibility of a witness, the culpability of a civil litigant or the guilt or innocence of an accused...

32. Tenn. R. Sup. Ct. 3.4 was literally violated by Attorney Virginia Lee Story<sup>7</sup> throughout my case (#48419B) more times than I have yet been able to count to date.

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<sup>6</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-40, PageID.2068-2090

<sup>7</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1883-1890



33. Judge Michael W. Binkley also allowed Attorney Virginia Lee Story to make multiple false and fraudulent statements of law in open court<sup>8</sup>, which Judge Binkley not only failed to correct, but he nodded his head up and down while grunting sounds of agreement with her fraudulent claims.<sup>9</sup>

34. After which Judge Michael W. Binkley made completely unreasonable court orders<sup>10</sup>, violating my state, federal, and constitutional rights<sup>11</sup>, based upon Attorney Story's completely false statements of law combined with her fraudulent assertions of facts.<sup>12</sup>

35. As such, I was overwhelmed beyond words, during my very first hearing in Williamson County Chancery Court, on August 1<sup>st</sup>, 2019.

36. I don't remember every word verbatim, but I do remember "the show" put on by Judge Michael W. Binkley, including distinct portions of his dialog (though paraphrased), the general tone of each prejudice exhibited by Judge Binkley (as I believe to have also experienced), and my overall "takeaway".

37. The Courtroom was still quite full, so the "audience" was captivated and largely engaged with Judge Binkley.

38. This was also witnessed by my Attorney, Mitchell Ray Miller (BPR #036126) then

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<sup>8</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1184 ~ ECF No. 1-25, PageID.1225

<sup>9</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-1, PageID.34-47

<sup>10</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1951-1953

<sup>11</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1874-1924

<sup>12</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1925 ~ ECF No. 1-36, PageID.2006

employed by Schaffer Law Firm. Attorney Miller has since opened his own practice at “The Law Office of Mitchell R. Miller” ([mitchell@millerlawtn.com](mailto:mitchell@millerlawtn.com)), also reachable by phone at (615) 538-1885, for confirmation of the events to follow.

39. I hope that Mitchell will still tell the truth, despite the tremendous pressure which I found throughout the Middle Tennessee Judicial System, not to challenge any judge’s autonomy.

40. On information and belief, that pressure I found to be exponentially higher in the alliance between Judge Michael W. Binkley and Attorney Virginia Lee Story, though I knew none of their history at that time.

41. On information and belief, even the simplest steps to promote transparency and accountability within the Civil Division of the Williamson County Chancery Court have been overlooked and/or denied by that Court and/or its governance.

42. For example, on information and belief, that court maintains no records of who appeared and testified in Civil hearings.

43. On information and belief, they have neither a reporter nor a clerk in the court rooms, to transcribe the hearings or even keeps minutes for the Court record. (Such as maintaining records of who appeared and testified in court, or what is said or done during a hearing.)

44. On information and belief, they also didn’t provide any audio or video recordings in civil hearings, by which to increase transparency and accountability, to help protect litigants from false and fraudulent claims and subsequent court orders.



45. Furthermore, the Attorney for the “winning party” literally **wrote the Court Orders** in the 21<sup>st</sup> Judicial District, which further discriminated against Pro Se litigants, by disallowing their participation in the “Proposed Order/Agreed Order” process.

46. Though other Tennessee Judicial Districts discriminated far less against Pro Se litigants, at least by their published “Local Rules of Practice”.

47. I had no clue about any of this at the time. I was much more confident about the integrity, impartiality, and equality throughout the entire Court System, than I unfortunately found to be true, in my experience.

48. After witnessing “the show” put on by Judge Binkley that afternoon, Attorney Michell Miller quietly approached me and asked, “**Did you see (or hear) that?**” At which point, I believe we both knew that I had little, to no chance, at finding favor, impartiality, equality, or justice in that Courtroom.

49. On information and belief, even without collusion, corruption, the deprivation of rights and property (which all followed), the clear prejudices of Chancellor Michael W. Binkley were steeply stacked against me.

50. On information and belief, the gentleman on the “stand”, immediately prior to my first hearing, on August 1<sup>st</sup>, 2019, obviously had a severe speech impediment.

51. I don’t know the man’s name, his case number, or even precisely what the Court wanted the man’s money for, but it felt like an alimony or child support type case.





52. I believe that the man had an MBA, while Judge Binkley kept drilling him about when he was going to quit being “underemployed”, when he was going to “get a new job” making more money.

53. The man responded several times with difficulty in speaking fluidly, stuttering, and stammering as he informed Judge Binkley that he was already working his “new job”, making (I believe) \$55k per year, and that was the extent of what he claimed that he could earn at that point.

54. Judge Michael W. Binkley would have no part in it. He kept drilling the guy about primarily the same thing over and over, as the man’s condition was obviously exacerbated by the pressure of being intensely confronted on the stand, while failing to have an answer, or to find the words, which might satisfy the judge.

55. The man repeatedly fumbled around, as if trying to figure out what to say or how to say it. Appearing as if he sincerely hoped to appease the judge, in good-faith, and was struggling to do so. While Judge Michael W. Binkley put on a show for the entire courtroom.

56. Judge Binkley was clearly frustrated with this man for his lag in response and his lack of fluidity in his speech.

57. Judge Binkley also hammered this man about when he would quit being underemployed and get a new job earning more money.

58. Showing signs of obvious frustration, Judge Binkley threw his hands-up in the air at one point.

59. At another point Judge Michael W. Binkley put his head down on his bench, while shaking it from side to side, repeatedly signaling for the guy to hurry up and provide him with an acceptable answer.

60. The gentleman on the stand clearly appeared to have a genuine disability, yet Judge Binkley openly chastised him for his failure to answer his questions more quickly, directly, acceptably, etc...

61. I'm honestly not sure what Judge Binkley hoped to get out of him that day, but the man told the Court, more than once, that the job he was already working, was "his new job", making more money than he had previously earned.

62. On information and belief, although I don't know the man's vocational history or the basis for his case, what was clear was that this man had a genuine speech impediment and was physically unable to respond to the judge in the manner which Judge Binkley repeatedly demanded.

63. It was also clear that Judge Binkley openly acted in a mocking manner toward this gentleman, using demonstrative movements with his hands and his head, acting exasperated, as though waiting forever to obtain a response.

64. On information and belief, in the end, Judge Binkley ordered the gentleman's counsel (a lady) to take the man and "work with him some more", to basically prepare him better for their next hearing, to improve his quickness, directness, and the fluidity with which he spoke.

65. Judge Binkley went on to threaten this man's counsel, that if this gentleman did not speak more quickly and clearly at his next hearing, answering the Judge's questions more concisely, then

Judge Binkley would further penalize this man with some additional charge.

66. I don't remember what term Judge Binkley used, or specifically what other charge he threatened this gentleman with. I don't believe that it was "contempt", but it was some equivalent sounding charge as though the man was intentionally, maliciously, speaking in the struggling "stutter", to avoid, delay, or deflect the questions of the Court.

67. On information and belief, I never perceived that to be the case with this gentleman.

68. On information and belief, Judge Binkley was overtly expressive and dramatic, in violation of the Rules of Judicial Conduct, which speak directly to "body language", and the appearance of impropriety.

69. On information and belief, Judge Michael W. Binkley, appeared to intentionally engage the audience present in the court room that day, while he mocked this man demonstratively. As if the Court was subjected to some inhumane intentional burden while waiting for this man to answer the relentless questions, which I believed him to have already answered to the best of his ability that day.

70. I believe that during the "show" detailed above, that Judge Michael W. Binkley clearly violated Tenn. R. Sup. Ct. 2.3 - Bias, Prejudice, and Harassment, which states:

- A judge shall perform the duties of judicial office, including administrative duties, without bias or prejudice.
- A judge shall not, in the performance of judicial duties, by words or conduct manifest



bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge's direction and control to do so.

*Comment*

- A judge who manifests bias or prejudice in a proceeding impairs the fairness of the proceeding and brings the judiciary into disrepute.
- Examples of manifestations of bias or prejudice include but are not limited to epithets; slurs; demeaning nicknames; negative stereotyping; attempted humor based upon stereotypes; threatening, intimidating, or hostile acts; suggestions of connections between race, ethnicity, or nationality and crime; and irrelevant references to personal characteristics. Even facial expressions and body language can convey to parties and lawyers in the proceeding, jurors, the media, and others an appearance of bias or prejudice. A judge must avoid conduct that may reasonably be perceived as prejudiced or biased.
- Harassment, as referred to in paragraphs (B) and (C), is verbal or physical conduct that denigrates or shows hostility or aversion toward a person on bases such as race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation.



71. I am reasonably sure that Judge Michael W. Binkley's behavior was a genuine ADA violation as well.<sup>13</sup>

72. Had I been in this man's shoes, I would have been completely humiliated by how demonstrative and obviously derogatorily (if not defamatorily and hostilely) Judge Binkley acted toward him, in front of a nearly full courtroom of "spectators".

73. The entire incident appeared to be "way over the top", unnecessary, unproductive, unwarranted, unhelpful, prejudicial, and mean.<sup>14</sup>

74. On information and belief, mocking the man for what appeared a genuine disability, for which the man appeared physically incapable of changing to satisfy the judge with simply how he spoke, not to mention the judge's harshness, claiming relentlessly that the man was remaining "underemployed", as though intentional, as the judge repeatedly accused.

75. Again, I know nothing of the case, except for what I saw in the courtroom.

76. I know not this man's vocational history or aptitude, or to whom or for what the money

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<sup>13</sup> Tenn. R. Sup. Ct. 1.1 - Rule 1.1 - COMPLIANCE WITH THE LAW:

A judge shall comply with the law, including the Code of Judicial Conduct.

<sup>14</sup> Tenn. R. Sup. Ct. 8.3 - Rule 8.3(a)(b) - REPORTING PROFESSIONAL MISCONDUCT:

(a) A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects, **shall inform** the **Disciplinary Counsel of the Board of Professional Responsibility**.

(b) A lawyer who knows that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial question as to the judge's fitness for office **shall inform** the **Disciplinary Counsel of the Board of Judicial Conduct**.

was required by the court.

77. On information and belief, I have no doubt that with the obvious extremity of this man's disability, that he is likely unable to earn as much as another man with the same education, who does not suffer from a heavy stuttering speech impediment.

78. On information and belief, regardless of this man's financial aptitude, I saw no legal, ethical, or humane reason for the treatment which he received that day, in Williamson County Chancery Court, at the bench of Chancellor Michael W. Binkley.

79. On information and belief, my personal conclusions from what I witnessed, directly before my hearing, was that I believe that Judge Michael W. Binkley is "Old School", "Old South", **the man must provide** adequately for his family, discriminating against any and all who fall short. Regardless of the circumstances.

80. On information and belief, Judge Binkley clearly showed disdain rather than compassion for this man's disability.

81. On information and belief, I saw prejudice against men in that Court Room, especially for men who Judge Binkley deems "fall short", who are "underemployed", or who suffer with any challenge or disability which limits their earning capacity, with a "**there are no excuses**" world view.

82. On information and belief, my hearing that day didn't evoke the "show" that Judge Michael W. Binkley put on with the gentleman directly before me on 8/1/2019, with a speech impediment, but my perceptions about Judge Binkley's prejudices proved flawless. (Which I have hundreds of pages of clear and convincing evidence to prove.)



83. I have much more to say on the topics of bias, prejudice, and discrimination by Judge Michael W. Binkley and the Williamson County Chancery Court, including the Chancery Court's Clerk & Master's Office, all which repeatedly failed to comply with or exhibit the slightest care (to me) regarding State and Federal ADA regulations, laws, and policies.

84. The Chancery Court failed or refused to show me any care, compassion, or consideration for my basic "inalienable" human rights to life, liberty, and the pursuit of happiness.

85. Similarly, I found and experienced extreme discrimination against "Pro Se" and so called "Indigent" litigants, both in policy and in practice, within that same publicly owned Court.

86. According to the Merriam Webster Dictionary online, the term "indigent"<sup>15</sup> means: **"suffering from extreme poverty: impoverished"**.

87. On information and belief, the term "indigent" alone is shameful, discriminatory, and a reflection upon the Williamson County Chancery Court's contempt and disdain for less financially advantaged litigants. (Whose tax dollars built that "Court" and employ their staff.)

88. On information and belief, a lot of hard-working people can afford to meet the needs of their families, yet don't have the luxury of keeping tens-of-thousands to hundreds-of-thousands of dollars, in "disposable funds", to defend themselves in "Court" against more financially fortunate parties. Often who leverage and exploit our "legal" system to fraudulently take from others, that

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<sup>15</sup> <https://www.merriam-webster.com/dictionary/indigent>

Initials: 

which they are not due.

89. Let the record show, that never in my life have I been “indigent” before I entered the Williamson County Chancery Court.

90. On information and belief, now due to the greatest crimes committed against my person and my family, in my lifetime; purportedly “under color of law”, I have been left with no means or reason to expect that I will ever be anything more than “indigent”, again in my life.

91. The facts in this document and others were drafted a couple of years ago, while my memory was fresh, but unfortunately, I didn’t know where I could safely file them.

92. I have personally experienced gross bias and harsh retaliation by the Williamson County Chancery Court, Judge Michael W. Binkley and Attorney Virginia Lee Story.

93. For that reason, I did not file this document (or others) at the time when I wrote them, because of fear of further retaliation by the Williamson County Chancery Court, Judge Michael W. Binkley and Attorney Virginia Lee Story.

94. I have not written this for any purpose other than to expose the **truth**, as stated herein, with the hope that by exposing this the State of Tennessee and the Chancery Court will take the necessary steps to protect future disadvantaged litigants.

95. Despite how savagely and carelessly I have been wounded by the aforementioned parties, I do not seek retribution, but **justice** and the **protection** of other litigants.

96. For each and every person **equally**, who find themselves either by choice or need, inside

that which claims to be a “Court of Equity or Law”. **Let it be so!**

97. I am here exercising my first amendment right and responsibility as a citizen, to hold government accountable for their actions, no matter how resistant to the truth that government is.

98. May JUSTICE be served. The public welfare requiring it!

### DECLARATION

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct, except as to matters herein stated to be on information and belief, and as to such matters, I certify as aforesaid that I verily believe the same to be true.

Executed on October 25, 2023



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(F) 810.255.4438



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEFFREY RYAN FENTON,

Plaintiff,

v.

Case No. 1:23-cv-01097-PLM-RSK

Hon. Paul L. Maloney

VIRGINIA LEE STORY, et al.,

Defendants.

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**ORDER**

The Court GRANTS plaintiff's motion for extension of time to file objections (ECF No. 10). Plaintiff's objections to the Court's Report and Recommendation (ECF No. 8) are due no later than January 10, 2024.

IT IS SO ORDERED.

Dated: January 2, 2024

/s/ Ray Kent  
RAY KENT  
U.S. Magistrate Judge

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

**FILED - LN**

January 19, 2024 4:52 PM  
CLERK OF COURT  
U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY:      /      SCANNED BY:          

**JEFFREY RYAN FENTON,**

PLAINTIFF

v.

**VIRGINIA LEE STORY ET AL.,**

DEFENDANTS

**CASE NO. 1:23-cv-1097**

**OBJECTION TO THIS COURT’S “REPORT AND RECOMMENDATION”**

On December 13, 2023, this court filed a REPORT AND RECOMMENDATION (hereinafter “report”), which recommends that the instant case be dismissed. For the reasons below, doing so does not serve the interests of justice and would additionally be a violation of 18 U.S.C. § 4.

**ARGUMENT**

The following subsections list the reasons why the instant case cannot lawfully be dismissed.

**Disputing Elements in the Report**

On page 2 of the report is listed some issues in the complaint, but it does not mention the \$17,782.08 that Plaintiff lost in his retirement account due to the defendants’ malfeasance. At the bottom of page 3 of the report, it states in reference to 28 U.S.C. § 1406, “The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought.” Having been stung multiple times by courts already, Plaintiff was extra cautious when

filing this suit. He therefore called the court to inquire about venue. He was specifically told by court personnel—at least twice—that he could “file it here.” See Exhibit “A,” which is a partial transcript of the call Plaintiff had with a court employee on October 11, 2023, *prior* to filing in this court.<sup>1</sup> He was *never* told at any time during this call that the case could be dismissed if he filed it in the “wrong” district or division.

On page 4 of the report, the court points to *First of Michigan Corporation*. While the decision to dismiss or transfer a case is within “the district court’s sound discretion,” the defendant—not the court—initiated the dismissal with a “motion to dismiss on the basis of improper venue.” Here, that has not happened because the defendants have not even been served and—very presumptively—do not yet have knowledge of the case. Also, the dismissal in that case was *reversed*. Still on this page, the court then points to *Johnson*. There, the court opined that it was “obliged to begin by acknowledging a district court’s authority under 28 U.S.C. § 1915(e) to dismiss *sua sponte* cases not merely on their merits but also based upon improper venue” (emphasis added). All other cases cited on this page by the court regarding “improper venue,” for example, *Day*, *Nation of Islam*, *Trujillo*, *Lea* and *Sifuentes*, were *pro se* matters filed by plaintiffs who also moved for fee waivers, and it is noteworthy that none of them were diversity cases. The court is apparently trying to apply the “preliminary screening” process it has decreed under § 1915—the *in forma pauperis* statute—to a plaintiff who has not filed a fee waiver, but instead has paid the filing fee in full, despite not having the funds to do so because he is destitute due to the nefarious and

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<sup>1</sup> [https://www.rico.jeffenton.com/evidence/2023-10-11\\_usdc-wdm-emily-can-file-in-lansing.mp3](https://www.rico.jeffenton.com/evidence/2023-10-11_usdc-wdm-emily-can-file-in-lansing.mp3)



outright criminal actions of the defendants. It is therefore clear that venue is not improper “from the face of the complaint.”

At the end of page 4 of the report, it is true that “Plaintiff has no connection to the Western District of Michigan,” but once again, he was told by court personnel that he could file in this district and in this division, regardless of any connection to Michigan. Plaintiff specifically told the court where he was located; however, a court employee reaffirmed that the action could be filed in this court. See exhibit “A.”

On page 5 of the report, the court concedes that the instant case was filed under diversity jurisdiction but erroneously concludes that “venue is improper in the Western District of Michigan.” Plaintiff reiterates what he was told by court personnel, which is shown in exhibit “A”—the audio version of which can be found at the link denoted by footnote 1. The court seems to recognize that Plaintiff was forced out of Tennessee due to misconduct by the defendants and that he was denied due process in Tennessee, but also seems to neglect the severity of the abuse suffered by Plaintiff. “Plaintiff’s desire to avoid the state and federal courts in Tennessee” is because he wants to avoid the wrongdoing he experienced there and instead seek justice, which is not at all unreasonable considering what Plaintiff has been through. While it may or may not “establish venue in the Western District of Michigan,” it indicates that courts outside Tennessee should hear this matter.

Moreover, directly from the U.S. courts website, “In cases based on diversity of citizenship (when the plaintiff and defendant are residents of different states), the lawsuit may be filed in the

jurisdiction where the plaintiff or the defendant resides”<sup>2</sup> (emphasis added). *Ferens v. John Deere Co.*, 494 U.S. 516 (1990), a diversity case whereby a plaintiff sued in his home state, also reinforces this statement. Under the JURISDICTION AND VENUE section of the complaint, Plaintiff clearly is bringing his suit pursuant to 28 U.S. Code § 1332.

Finally, on page 6 of the report is a no-win conclusion for Plaintiff: “[T]he interest of justice will not be served by transferring this lawsuit to any one of the multiple federal judicial districts in which plaintiff could have filed this lawsuit.” This is essentially saying that the case cannot be heard in any U.S. court in the “interest of justice.” The “interest of justice” in Plaintiff’s legal proceedings has been ignored for more than four years, which is precisely why he is trying to bring this case in a court that he perceives to be fair and just. Plaintiff specifically filed in this court because he has not received justice in the courts in Tennessee. He has been pleasant and cooperative with court staff and is trying to follow the rules of procedure and, in particular, trying to do what he is instructed to do by court personnel.

#### **Dismissal of This Case Could Impact Viability in Another Court**

Plaintiff was cognizant of the statute of limitations when he called the court on October 11, 2023. His concern that filing in the “wrong district” could severely and negatively impact his lawsuit was clearly stated during this conversation. He was sure to ask the court about the effective date of filing if filed in *this* court. See exhibit “A.” If this court dismisses the action rather than transfers it to another district, then Plaintiff will likely be irreparably damaged because the defendants—or

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<sup>2</sup> [www.uscourts.gov/statistics-reports/covering-civil-cases-journalists-guide](http://www.uscourts.gov/statistics-reports/covering-civil-cases-journalists-guide)

another court—will then argue that the expiration of the statute of limitations warrants dismissal. Plaintiff should not be negatively impacted due to the misinformation he was given during the aforementioned call.

#### **Dismissal of This Case Would Violate 18 U.S.C. § 4**

Plaintiff has alleged not only criminal wrongdoing, but *felonious* wrongdoing in matters precipitating this action—all of which he can prove. Some of the known criminal actions include, but are not limited to:

- T.C.A. § 39-14-112 Extortion
- T.C.A. § 39-14-114 Forgery
- T.C.A. § 39-15-510 Offense of Abuse of Elderly or Vulnerable Adult
- T.C.A. § 39-16-403 Official Oppression
- T.C.A. § 39-16-504 Destruction of and Tampering With Governmental Records
- T.C.A. § 39-17-309 Civil Rights Intimidation
- 18 U.S. Code § 157 - Bankruptcy fraud
- 18 U.S. Code § 241 - Conspiracy against rights
- 18 U.S. Code § 1341 - Frauds and swindles
- 18 U.S. Code § 1503 - Influencing or injuring officer or juror generally
- 18 U.S. Code § 1519 - Destruction, alteration, or falsification of records in Federal investigations and bankruptcy
- 18 U.S. Code § 1951 - Interference with commerce by threats or violence
- 18 U.S. Code § 1957 - Engaging in monetary transactions in property derived from specified unlawful activity

Since Plaintiff has now revealed to this court the felonies above committed by certain defendants, any ruling by this court that fails to recognize and/or address them but instead tries to conceal them with a dispositive ruling will thus be a violation of 18 U.S.C. § 4. Case law is crystal clear on the subject. Not only must a person know a felony has been committed, but s/he must take affirmative





“steps to conceal the crime.”<sup>3</sup> By ruling against Plaintiff while completely ignoring the fact that judges in courts in Tennessee and other actors committed felonies, this court will be taking those “steps to conceal the crime[s].” Evidence of the crimes is unmistakable, and Plaintiff has sworn to them in the accompanying declaration.

### CONCLUSION

In order for justice to be served, Plaintiff needs to be allowed to litigate this case in *some neutral* United States court, which would be the only way he could be made whole from the damages inflicted by the defendants. Continuing to block him from justice is neither fair nor constitutional. Plaintiff requests that this court either reject the report issued on December 13, 2023, or transfer the matter to another U.S. district court where it can be fully litigated.

January 9, 2024

  
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**JEFFREY RYAN FENTON, PRO SE**

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<sup>3</sup> *U.S. v. Caraballo-Rodriguez*, 480 F.3d 62 (1st Cir. 2007); *U.S. v. Cefalu*, 85 F.3d 964 (2d Cir. 1996); *United States v. Goldberg*, 862 F.2d 101, 104 (6th Cir. 1988); *United States v. Olson*, 856 F.3d 1216 (9th Cir. 2017); *United States v. Baez*, 732 F.2d 780, 782 (10th Cir. 1984)

**Plaintiff 00:55:** So if I wanted to file a federal lawsuit in Lansing, for example, there's a federal district court there, I could do that.

**Court clerk 01:02:** Correct, [unintelligible] the western district, if you wanted to file your case in the western half of Michigan you could do that in Lansing.

**Plaintiff 01:08:** OK, does that make a difference?...as far as like, I'm in Linden, it's like an hour away...I'm kind of in the middle, but I don't like going to Detroit.

**Court clerk 01:17:** I understand.

**Court clerk 01:20:** Where did your case arise from?

**Plaintiff 01:24:** It arose from Tennessee actually.

**Court clerk 01:26:** Oh, OK, alright, so yeah, you can file it here.

.  
. .

**Plaintiff 01:50:** Am I able to file it in Michigan?

**Court clerk 2:00:** You can definitely file it here. If they say it should have been filed in Tennessee, we transfer it down there.

**Plaintiff 02:07:** As far as statute of limitations and everything, does the file date preserve from when I file with you?

**Court clerk 2:14:** Yes, if you file it, you know, say today, today is the date you filed the case.

Exhibit A

Initials:



**FILED - LN**

January 19, 2024 4:49 PM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY    jlg    /     SCANNED BY    jlg    /    1/22/24   

**UNITED STATES DISTRICT COURT FOR  
WESTERN DISTRICT OF MICHIGAN**

**JEFFREY RYAN FENTON,**

PLAINTIFF

v.

**VIRGINIA LEE STORY ET AL.,**

DEFENDANTS

**CASE NO. 1:23-cv-1097**

**DECLARATION IN SUPPORT OF OBJECTION TO 12/13/2023  
REPORT AND RECOMMENDATION (REV. 1/19/24)**

Plaintiff brings this testimony pursuant to 28 U.S. Code § 1746.

I, Jeffrey Ryan Fenton, declare under oath as follows:

1. Please read the following critical declarations, filed along with this document, for clarity prior to deciding to take any negative action against my case (such as dismissing it).
2. "DECLARATION OF MARSHA ANN FENTON REGARDING SON JEFFREY RYAN FENTON AND TENNESSEE LEGAL PROCEEDINGS".
3. "MEMORANDUM OF LAW REGARDING COURT ACTIONS IN TENNESSEE".
4. "DECLARATION ABOUT PHONE CALL WITH TRUSTEE JOHN MCLEMORE".
5. "DECLARATION OF IRREFUTABLE PROOF OF A CRIMINAL

Initials:    jlg



CONSPIRACY SPANNING STATE AND FEDERAL COURTS”.

6. I assure you, despite what it may look like, I’m not doing anything to disparage the courts, or to be disrespectful in any way. I have acted in good faith repeatedly, despite... see record to date.

7. This case has a vast amount of documentation because it is subsequent to a RICO scam between state and Federal courts in the State of Tennessee, where the members of the court strategically obfuscated the facts, the laws, and their crimes in the gap between the state and federal courts records, as they deceptively shuffled documents back and forth between the state and federal courts, while each acted as though they were acting upon some lawful directive of the other court, when in fact neither court acted lawfully, or had the jurisdiction or authority to do what they did despite having no such lawful jurisdiction or authority.

8. Had the bankruptcy proceeded in proper form, then I would have been served notice and a hearing in either Federal District Court or in Federal Bankruptcy Court, long before I ever met the actors in the Chancery Court.

9. The Federal Courts had both Original and Exclusive Jurisdiction over my marital residence, because my ex-wife’s counsel had secretly included it as a part of my ex-wife’s bankruptcy estate 39-days before any action was ever filed in the chancery courts.

10. I don’t want to over explain, because I can get unconsciously repetitious, so if I accidentally fail to provide you with some critical or needed information, please just let me know, and I can redundantly clarify.

11. Needless to say, everything involving the deprivation of my property needed to be

handled by one court, to prevent the confusion, the provide transparency, to follow the federal rules of bankruptcy procedure and subsequent federal bankruptcy laws, while that should have ben in the federal courts, and I should have been notified and allowed to participate, but I was strategically prohibited, and then forbidden, by the use of a fraudulent Order of Protection. I was expressly prohibited from contacting my mortgage companies and even attempting to save my critical and even essential property interests by the Chancery Court.

12. Both state and federal court records are necessary in this case, to understand what really transpired between the two courts, while honestly the entire case should have had “case management”, where someone took a more wholistic approach that slicing and dicing my life and our property up, with fraud based upon fraud.

13. The interests of justice requires the truth to be uncovered and breathed into by the court, which to date has never been done.

14. The truth can only be uncovered by putting all the facts together, to see how the actions in the state court were gamed against the actions taken in the federal court, and vice versa.

15. Please understand, though the lawsuit has 2,000+ pages of documents, I am very specifically citing supporting evidence throughout my pleadings, so the number of pages should not be so overwhelming. Yet without the record containing both actions, there can be no intelligent discovery of what the members of both courts in fact did.

16. Similarly, as you can see, I have never failed to plead in the State of Tennessee. I have over 1,000 pages on court records in Tennessee State Courts while to date not one word has ever been used to my benefit outside the court process itself.

17. While my life has been arbitrarily and unnecessarily destroyed by unsolicited “default judgments”, when in good faith no default judgement could have ever been ruled.

18. It’s not my fault that I have plead a thousand pages of honest hard fought sworn testimony combined with clear and convincing evidence and not one prestigious “members” of the court have heard or used one work to benefit my life.

19. All that I can do, as long as courts continue to refuse their lawful and ethical duty, is keep rolling the paper trail into the next lawsuit, to try to hold the negligent and criminal parties accountable. That is not my wish, my wish was to never have my life destroyed or to need to “fight for my life” for four years since. What I have experienced is literally beyond words, while there is no good faith cause for any of it.

20. While the parties who have wounded me are known throughout middle Tennessee for shenanigans such as I have experienced. This is not out of character for them, it is just unusual for them to get caught.

21. The reason they are getting caught, is because I was pro se and they didn’t even try to pretend to do anything lawful. Once I could no longer afford counsel, they took the gloves off, forcefully took my home, had me literally evicted by the Sherriff’s office with a five day notice, knowing that would force me to seek emergency replacement shelter in the State of Michigan, after which they refused to provide me notice, motions, anything except their illegal “default” orders.

22. I have a slew of stuff to file today, and I’ve been working constant on this all day every day for weeks... I need to bow out on the explanations and get this filed before traying to explain more.



23. I swear under the penalty of perjury, I am operating in good faith, in full honor, integrity, honesty, and that nothing I have filed is for any improper purpose. Even if I don't have time to explain that to you in every circumstance throughout my record at this time.

24. My apologies, this is a bit of a regurgitated mess. I'm in the process of trying to articulate and write shorter distinct declarations, which as I complete, I will delete the sections from being restated herein.

25. Unfortunately, unless the courts demands I drop working on my first amended complaint to drastically improve this declaration immediately, I don't have time to focus on this at the moment, because I'm exceeding critical deadlines, which I believe I need to prioritize first, to return to working on and complete my first amended complaint and get my lawsuit served without further delay.

26. Needing to respond to this Report and Recommendation was the equivalent of me running full speed toward the finish line, in an attempt to file my first amended complaint and serve the parties by January 11<sup>th</sup>, which I believe was my 90-day deadline per the federal rules for serving this lawsuit. While I was giving it all I had, the court unfortunately had me tackled (by the Report and Recommendation, seeking to have my lawsuit dismissed, before I even got it served), costing me 20 days of productivity or more to date.

27. I was basically tackled, sabotaged, and defeated by the Report and Recommendation, seeking to dismiss my case. Which then forced me to divert from working on my First Amended Complaint, to purely working on trying to respond to the Report and Recommendation with hopefully enough supporting declarations, to show you the felonious

misconduct of the courts and counsel to date, so that you will understand that despite my case being against numerous parties, that my case in fact has merit. I do in fact have a very legitimate cause of action, and it would be obscenely contrary to the interests of justice, while likely also criminal, to dismiss my case without allowing me to litigate it, be heard, and seek some level of needed relief.

28. Hence the Report and Recommendation in this case, was as near polar opposite of an “ADA Accommodation” as I can imagine, with my specific set of disabilities.

29. I have been working 12-16 hours per day, at least 6-days per week, on writing my “Frist Amended Complaint”, upon the completion of which I planned to serve the defendants.

30. I recognized some of the errors you cited in your report... because I filed so many documents at one time when I filed my lawsuit, while I filed it at the end of the day in a rush before the court closed, I carried a large tote to the court to file my documents, and when I got back home I had several pages which I discovered got ripped off of my complaint and remained in the bottom of the tote.

31. I have known that I need to fix my complaint, and I have been diligently working as much as humanely possible on doing so.

32. Since I am only allowed one amended complaint, I am of the belief that I should rush in an amendment with missing pages or just to fix the errors mentioned, but I should wait until I am able to submit the most thorough amended complaint for all parties, to be able to litigate my lawsuit moving forward.

33. If the court prefers to allow me two amended complaints, I am perfectly agreeable

to doing this in smaller stages, so not to have a “broken” non-sensical complaint. Please advise.

34. I been working 12-16 hours per day since I filed my lawsuit (October 13<sup>th</sup>), to fix the problems that you noted in your report, amongst others.

35. The first thing that popped in my head was, “I thought that the courts were supposed to be impartial arbitrators of justice. Why is the court itself once again against me, along with an unfathomable horde of powerful judges and attorneys to date.” Just once, I would like for the court itself not to be on the side of the litigants who have unnecessarily injured me to date.

36. This complaint seeks a cure for two fraudulent<sup>1</sup> predatory actions in Middle Tennessee during 2019 (four substantially fraudulent and vexatious legal attacks intertwined), allegedly on behalf of my wife (at that time), “Fawn Tiffany Fenton”. (Hereinafter “Ms. Fenton”, “wife”, or “ex-wife”.)

37. Though we were both financially destroyed as a result. Solely to the benefit of outsiders.

38. The genesis of this complaint came colored as a domestic divorce action (with no children), executed in the Williamson County Chancery Court in the State of Tennessee. Bundled along with a completely unnecessary, strategically engineered, precisely timed, fraudulent federal bankruptcy filing, to cheat the me out of his property interests, while alleviating my former spouse of all financial responsibility for paying the significant “transitional alimony” as we had repeatedly agreed upon.

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<sup>1</sup> Fraud on the Court(s), by Members of the Court(s)



## DISABILITIES

39. I am a qualified Americans with Disabilities Act (hereinafter “ADA”) party and requests any accommodations<sup>2</sup> which the court can provide, to help me fully participate in, benefit from, and receive justice through the federal judiciary.

40. I suffer from the following cognitive disabilities: Obsessive-Compulsive Personality Disorder (OCPD) DSM-5 301.4 (F60.5), Generalized Anxiety Disorder (GAD) DSM-5 300.02 (F4L1), Attention-Deficit Hyperactivity Disorder (ADHD) DSM-5 314.01 (F90.2).

41. I take medications<sup>3</sup> to help with my disabilities, but they can not be cured.

42. My cognitive acuity diminishes greatly without the medications. I have unfortunately lost access to many of the medications which I took in the State of Tennessee for the decade prior, to help me operate at my full potential, being able to focus, articulate more clearly, and complete complicated challenging tasks.

43. As a result of the move, I have lost both my privileged healthcare of years past, as well as access to the well-established support systems I had bult throughout my life. At no fault of my own.

44. My most significant challenges—in addition to living in extreme poverty caused by the defendants in this case, are being very slow, meticulous, and repetitious in research and writing.

45. I have significant difficulty articulating succinctly; overly complicating most life activities; and having an inability to effectively multi-task, which includes handling multiple

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<sup>2</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-38, PageID.2032-2045

<sup>3</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-38, PageID.2039

concurrent legal tasks.

46. Letters regarding my disabilities are included in this federal case, as well as my request for modification to help accommodate my disabilities, so that I can mutually participate in and benefit from our justice system.

47. I'm currently still using my "request for modification" which I filed in the State of Tennessee until I can find the time to draft one more specific to this case. I ask that you please read and honor my Tennessee Request for Modification filed in this federal case at Case 1:23-cv-01097-PLM-RSK, ECF No. 1-38, PageID.2032-2045.

48. As a result of the forced dislocation from my support base in Middle Tennessee for 25-years, I lost a primary care physician who I had for about 20 years, as well as a terrific psychiatrist who I had worked with since 2012. I also lost the best psychotherapist who I have ever had the privilege of knowing in my life, Terry M. Huff.<sup>4</sup>

49. Mr. Huff has ADHD himself, while that is one of my primary disabilities, so he is able to help patients in more than a scholastic capacity, with his real-life experiences, managing the condition and challenges himself. That was priceless in my experience, and something I will likely never be able to replace.

50. Mental healthcare is one of the most difficult healthcare fields to find people who really are competent, understand, and come from the same worldview, to where they are positioned to truly make a meaningful difference in the lives of their patients. I had a well-

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<sup>4</sup> Author of "LIVING WELL with ADHD" and founder of the "ADDNashville" Support Group (<https://terrymhuff.com>)

established support system in Brentwood Tennessee, the likes of which I will be surprised if I ever am fortunate enough to rebuild and enjoy again.

### **FINANCIAL STRUCTURE OF FAMILY**

51. Ms. Fenton and I lived under the spiritual principle of **“two becoming one at marriage”**. Throughout the entire duration of our marriage. (Despite the deceptive narratives fabricated by her counsel, which began after Ms. Fenton chose to obtain a divorce.)

52. **All of our marital assets and debts** (with Ms. Fenton) **were always held as one “tenancy by entirety”<sup>5</sup>**. Regardless of whose name either were technically in. Those choices were strategically for the benefit of both parties. Whether for preferential interest rates, risk mitigation, etc... Account ownership, positions, and titling **were equally for both of our benefit**.

53. Everything was a matter of whether our family held and carried it **“in our left pocket”** or **“in their other pocket”**.

54. Except for an insignificant amount of premarital and/or sentimental property, nothing was a matter of **“hers”** or **“his”**. Such language had more to do with respect and planned usage, than actual ownership interests or rights.

55. Ms. Fenton is an MIT educated, licensed Tennessee Professional Architect<sup>6</sup> (ID Number: #102945), who is a **“LEED Accredited Professional”**, certified by the U.S. Green Building Council, as well as a **“Certified Document Technologist”** by the Construction

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<sup>5</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.541-542

<sup>6</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1444



Specifications Institute.

56. Ms. Fenton also has a decade of leadership experience in the ACE Mentor Program, teaching high school students about careers in Architecture, Construction, and Engineering.

57. Ms. Fenton was voluntarily the primary breadwinner<sup>7</sup> throughout our 13-year marriage, and during some short seasons she was our only breadwinner for a period of time, due to her own demands and priorities, about how she felt that my time could best contribute and serve our family.

58. Ms. Fenton has two to three times the earning potential that I do.

59. Ms. Fenton was voluntarily our family's primary breadwinner from 2011-2019.

60. On page 529 of the Chancery Court record in docket #48419B, defendant Story stated in court on 8/1/2019, as recorded on page-6, lines 3-6 of the official Transcripts of Evidence from that hearing, the following, **"He is very intelligent. He has a high school education, but he is a self-taught genius."**<sup>8</sup>

61. That statement is absurdly false. I am no sort of "genius", while I'm not even qualified to continue working in computers.

62. I got the job maintaining the IT systems in my wife's small 5-6 person architectural office purely due to my relationship with my wife, because they were paying roughly \$125 per hour (while I only charged them between \$25 - \$45 per hour). Before me, my wife's employer paid

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<sup>7</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1444

<sup>8</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1189

I believe this single compliment by defendant Story was to cloud the fact that they were discarding me with no job, no support, while depriving the only stream of financial support I had at that time (tenants/roommate rents of \$1,400 per month), while literally rendering me forcibly homeless.

substantially more for a different 20 something kid, recently out of college, to perform emergency triage on their office network, whenever they had an emergency. While they had absolutely no continuity of care and no preventative maintenance.

63. I was able to save her employer tens of thousands of dollars in multiple IT related capacities over roughly a decade of her employment.

64. For a long time maintaining the IT systems at my wife's architectural office was a "win/win" both for our family as well as for her office. But I do not have the knowledge, education, experience, or skill to obtain another job in IT or computers (in any known capacity or field), without some vocational rehabilitation and possibly obtaining a tech certificate.

65. Also said by defendant Story during that same testimony in court on 8/1/2019, page-6 lines 2-3 of that same "Transcript of Evidence", defendant Story stated<sup>9</sup>, **"Mr. Fenton was the IT person for the firm, and he hacked the emails so he lost that job."**

66. That statement by defendant Story is also an absurd lie.

67. I voluntarily terminated my contract with my ex-wife's employer, because I was frustrated with him making a bunch of hollow promises through the years which never materialized.

68. I was tired of feeling like my ex-wife's employer took advantage of both my wife and I, while due to a recent raise which I had advocated on behalf of my ex-wife with her employer, where my wife was given a \$10k<sup>10</sup> raise per year, afterwards her boss started talking trash about me

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<sup>9</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1189

<sup>10</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1435-1444

around their office, when all I ever did was save him a small fortune while keeping his office running smooth in a fraction of what anybody else would have charged him.

69. As such, I finally had my fill, as I informed Mr. Ken Adkisson, owner of Adkisson Architects in Nashville Tennessee, in an email<sup>11</sup> I sent him dated April 27<sup>th</sup>. 2017, which in part stated as follows.

➤ I stated, “Hello Ken, It doesn’t look like this relationship is going to work out anymore...”

➤ I stated, “One thing that I just won’t tolerate is people taking bad about me behind my back... Since you can no longer realize the value which I bring to your organization on my own, **I’m out...**”

➤ I stated, “Likewise, I’d like to end all of my business with your company... please don’t ask Fawn or anyone else to call me. I’m done.”

➤ I stated, “I would like to get all of your digital assets (website/domain names/etc...) off of my servers and out of my accounts as soon as possible. It’s not an emergency, I think that probably a month should be a reasonable amount of time for you to have that work completed...”

➤ I stated, “I will be returning to your office ALL of your DISASTER RECOVERY DRIVES from my fire vault...”

➤ I stated, “I hope for nothing but the best for you and your business in all your future endeavors.”

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<sup>11</sup> [https://rico.jefffenton.com/evidence/2017-04-27\\_voluntarily-terminated-contract-with-wifes-firm.pdf](https://rico.jefffenton.com/evidence/2017-04-27_voluntarily-terminated-contract-with-wifes-firm.pdf)



➤ To which Mr. Ken Adkisson responded shortly thereafter, that same day, **“Thank you Jeff, we certainly appreciated your efforts. Good luck in the future.”**

70. I need to make a very serious point here, throughout defendant Story’s case she has portrayed me as a monster, while writing an overwhelming litany of fraud specific to Ms. Fenton’s employer, accusing me of all sorts of misconduct, sabotage, evilness, painting me as a putrid person. While it is almost without exception a completely fraudulent fabrication by the defendants herein, for purposes contrary to the pursuit of justice, as required by the federal rules of every pleading.

71. Because Defendant Story is buddies with presiding Judge Binkley, while the Clerk and Master for the Chancery Court, Elaine Beaty Beeler<sup>12</sup> has literally been a close family friend of Defendant Story for over forty years, since she was in law school. All of defendant Story’s fraud is written directly into the court records as if **fact**. While not only is it not fact, but hardly a word of it is remotely **true**.

72. Yet that is the burden of proof which has been put upon me. Guilty until redundantly proven innocent, if ever I can find a court who is not friends with any of the bad actors within my case, who will obey their oath of office over “professional courtesy”.

73. Again, this was written in the court records as if a matter of fact (as was everything in #48419B) when it is not only false, but it is the absolute **opposite of the truth**. Meaning that it was presented by the defendants in about the most fraudulent context which could be (but isn’t)

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<sup>12</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-16, PageID.627

realistically plausible.

74. This is the overwhelming theme throughout all of defendant Story's filings in Chancery Court docket #48419B. Simply a cruel and unconscionable level of abuse by process, also known as stalking or harassment by the courts. (In the end it got a **lot** worse, but I will wait to **show** you what is likely otherwise "unbelievable".)

75. I have probably tried to correct this one statement in four separate courts now, some of them twice over, entirely based on an almost exclusively fraudulent narrative fabricated by defendant Story, accepted along with everything by defendant Binkley, as if it were a matter of fact, ignoring the evidence of his own eyes in my court records.

76. Purely so defendant Story could assassinate my character (literally as a strategic distraction) before I ever walked into court. Where I discovered that I was "guilty until proven innocent" and have been unlawfully deprived of my rights, my property, my liberty, and certainly my pursuit of happiness, while I have suffered from "official oppression" for over four years now.

77. Over a twelve hundred days of work later, with tens of thousands of hours of work, to prove what is obviously evident and true, as was filed but ignored in the Chancery Court, while every court since has covered for their "friends" and refused to even use common sense to my benefit, to act upon evidence or pleadings, no matter how absurd and unnecessary my injuries are and exponentially compound with each day. Nearly every document filed by defendants Story and Yarbrough in docket #48419B is almost entirely devoid of any **truth**.

78. Yet I will continue to prove that the earth is round one more time, and pray that somebody this time decides to uphold their oath of office and the true purpose of the judiciary, to

parse the truth from the lies, and apply the law to the truth, for the evenhanded protection and just deprivation of every man, woman, and child in our nation.

79. Every sentence of defendant Story's filings and testimony are like this.

80. If ever in one angry, distressed, outraged moment I said or did something "over the top", which was clearly inappropriate, even if just **one** time, then defendant Story took that one time, cherry picked that situation, then portrayed it as if I did that bad behavior on multiple occasions, if not routinely. While again, that is so obscenely false and unethical, in violation of the Federal Rules as well as the State of Tennessee's Rules of Professional Conduct, but then so was literally everything that she did in my case.

81. For example, I called my ex-wife a "bitch" once. I honestly don't remember the circumstances, and I offer no excuses for my unacceptable name calling. That is not the type of person that I am, but I screwed up, let myself down, and called the person who I honestly love the most in the world, a name once.

82. To be honest, I never remember her calling her names (except "pet names") on any other occasion during our fifteen years together, but one time I did call her a "bitch".

83. There is an obscenely false and fraudulent statement that my wife was filed by my wife's counsel, alleging to be her personal testimony in her petition for the "Order of Protection Ex parte", which was simply a tool for leverage for criminal purposes beyond your wildest imagination.

84. I need to come back and address that entire "unsigned personal statement" later, because it takes me a long time whenever I try to provide testimony in regards to it, because nearly



every sentence is false, and carefully crafted to fraudulently portray me as a monster, to fit in with defendant Story's "strategic distraction" in this case, from the fact that not one legal, lawful, honest, just, equal, impartial, ethical, good faith action took place in a court who had the lawful jurisdiction to hear and dispose of the matters before it, ever took place in Williamson County Chancery Court docket #48419B. (I can redundantly prove every word of that.)

85. But I just want to quickly point out the part of that "unsigned personal testimony" portrayed as if written by my ex-wife, where they call me out for inappropriately calling Ms. Fenton a "bitch" **one** time. Again, I'm trying to paint a picture for the court, to understand how language has been used and manipulated throughout docket #48419B, for the most fraudulent portrayal as I can conceivably imagine (within the realm of plausibility).

86. Here is what is stated about me calling Ms. Fenton a "bitch" once, "*In addition, Jeff continues to send me numerous text messages, some very lengthy. in some of the texts he uses derogatory language, calling me a "bitch."*"

87. "In some of the texts he uses derogatory language, calling me a "bitch.""

88. That statement is a lie!

89. The word "some" defines a plural context, taking what could have otherwise been true, from one incident, and fraudulently manipulates it to say something which is instead false.

90. This is a core underlying tactic of everything written in this case by defendant Story.

91. That which is not 100% fraudulent (while most is), is overleveraged to present an untruth as though it were a fact. I swear under the penalty of perjury that I only remember calling Ms. Fenton a mean name once throughout 15-years.

92. While though not at all an “excuse”, this flaw in temperament is not only a flaw which caused me to stumble.

93. falsity as though fact, puts that in a plural context, while again as I mentioned this is prased as though it happens

94. has coached my did something inappropriate **once**, for example I called my ex-wife a “bitch” one time in my life that I know of, and though I agree that is 1 00% inappropriate and unacceptable, and I accept responsibility for my actions even in my worse moments, I don’t believe in using scapegoats by blame casting my bad choices on what someone else did to potentially provoke me. I still am an adult who is responsible for my own words and actions.

95. do not scapegoat my actions and words on what others have done to me immediately precding called my ex-wife a name for example, I in an angry moment cursed once, it was portrayed in her court filings as if I did it everyday.

96. Everything that she wrote, she took the most extreme cherry picked claims of evidence as the baseline, by which she fabricated a whole outrageous abomination of unethical fraud on the court and fraud against my person. I can not literally articulate how abusive this has been. She not just relentlessly insults me, so takes my greatest strengths, like my management of our income taxes, and proclaim that I am a villain in that exact area. Claiming that my ex-wife could probably be an abused spouse.

97. That is the tone and pace of every word she has written throughout the entire case, without an ounce of truth, or a motive which is not whole repugnant of the rule of law, the codes of conduct, and the federal rules that all pleadings must seek justice.

98. Absolutely nothing filed by defendant Story ever once in this case sought justice or was for the true purposes claimed.

99. It is overwhelming, while time and time again I provide evidence that almost every word she wrote is obscenely fraudulent, yet nobody fixes it and provides me a cure. Nobody releases me from the outrageous deprivation of my constitutional rights which she and defendant Binkley have and continue to fraudulently hold hostage, year after year, while literally not one good faith action took place in Chancery Court docket #48419B, while the evidence has been on the record of every single court my cases has been in, but nobody has given me the benefit of a single word or pleading filed.

100. Why should I need to be arguing over what is true and false for four years, in an effort to just have my person restored?

101. Here it is, prepared and posted on the web, with the truth highlighted, showing Ken Adkisson's clear response: [https://rico.jeffenton.com/evidence/2017-04-27\\_voluntarily-terminated-contract-with-wifes-firm.pdf](https://rico.jeffenton.com/evidence/2017-04-27_voluntarily-terminated-contract-with-wifes-firm.pdf)

102. So please take a marker and cross-out every foul word spoken by my ex-wife and her counsel related to my ex-wife's employer, because it clearly is not true, and they have already compromised the integrity of their testimony, so the truth needs to replace the lie.

103. If that is done one sentence at a time, I will prove in an obscenity undeniable way that not one legal, lawful, ethical, action was taken in Chancery Court #48419B, nor was **anything** based upon the real "merits" of my marriage or subsequent divorce from my wife.

104. While the most obscenely overwhelming fact is, that I have proven this irrefutably



so many times over... I don't know how I can say it or prove it more clearly, without allowing me any opportunity to cross examine all the fraudulent claims, which I was fraudulently denied due process and any chance to do.

105. I had no idea, information, nor notice that a single mortgage payment for our marital residence had ever been so much as late, let alone missed.

106. Ms. Fenton and I had a verbal contract<sup>13</sup> (an "interim agreement"), that she would pay all of our bills during that season, while we tried to obtain a divorce.

For more facts related to our family's finances, the agreed roles between myself and Ms. Fenton, and what we had agreed to regarding alimony prior to the involvement of the defendants within this case, please see my "DECLARATION ABOUT ARONS & ASSOCIATES DIVORCE PLANNING<sup>14</sup>".

107. I can't communicate to you how offensive and scary it is, to once again realize that it's not just me against the other litigants who have savagely injured me. Granted, there are five judges between them, state of Tennessee Court of Appeals Judges, one federal bankruptcy court judge, and one Tennessee Chancery Court judge, but I can definitively prove to you how each of them knowingly participated in felonious criminal misconduct to earn a spot in my lawsuit.

108. The bankruptcy court completely ignored the federal rules of bankruptcy procedure and multiple sections of federal bankruptcy laws (most concisely F.R.B.P. Rule 7001 and 11 U.S.C. § 362), regarding my property interests, while refusing to even notify me or my two legal

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<sup>13</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-26, PageID.1343-1344

<sup>14</sup> [https://www.rico.jeffenton.com/evidence/2018-07-12\\_aron-and-associates-divorce-planning.pdf](https://www.rico.jeffenton.com/evidence/2018-07-12_aron-and-associates-divorce-planning.pdf)

tenants/roommates who had legitimate federally protected leasehold property interests in my marital residence. that an abhorrent horde of counsel created a conspiracy spanning both State and Federal Courts, with the sole purpose of cheating me out of my property interests, which first meant denying my natural, state and federal constitutional, 4<sup>th</sup>, 5<sup>th</sup> 14<sup>th</sup> Amendment rights not to have my property unlawfully seized.

109. I remember when I first contacted the Acting United States Trustee for Region 8, Paul A. Randolph, over the federal judicial districts of Kentucky and Tennessee to request that they perform a bankruptcy fraud investigation and provide me some information about who dropped the ball in my ex-wife's secret bankruptcy, strategically denying me notice that the whole of my life's work and investments was in jeopardy, while I didn't know that a single mortgage payment was late or had ever been missed.

110. You see I knew from grade school, that via my 5<sup>th</sup> and 14<sup>th</sup> Amendment Rights were violated, depending upon whether we want to blame the federal judiciary or the state judiciary, when really it was both of them acting together, committing fraud on the court which spanned both State and Federal Courts, for the intentional purpose of obfuscating the crimes committed between the two.

111. While obtaining a cure has reminded me of a lawsuit I had once with a negligent general contractor, who hired subs who had most of my attic open to the elements as a thunderstorm rolled through and rained right inside our attick, just weeks after we had purchased our marital residence, forcing us to move back into my premarital duplex from April of 2011 until November of 2011, while fighting for our lives to get our home repaired, then our roof replaced,

our interiors fixed, followed by almost two years of legal battles trying to get the general contractor (who gave us his one or two million dollar insurance policy when we handed him half down on a \$25k custom re-roof), but he refused to file an insurance claim to pay for our damage, and we had to learn the hard way that a contractor's insurance doesn't protect the customer, it protects the contractor from the customer.

112. Anyhow, in that two plus year legal nightmare that almost brought our family to the brink of bankruptcy, while we had to pay two mortgage payments and three sets of utility bills on credit cards while needing to pay not only to repair our home, but to replace the custom roofing materials they installed incorrectly, the holding costs alone were insane. That was where the real stress in our marriage was born of, but we survived that after a few years, I finally beat the money out of them, and we went on with life. But we never got back that 2+ years of our lives, or all the money I could have earned if I could have kept my job, instead of becoming a full time project manager and construction grunt, because we were losing more money faster in holding costs, than I could earn working a "job".

113. My point in mentioning that was the relationship between the General Contractor and the Subcontractors who we had no relationship with, but unbeknownst to us originally, the GC hired. So once the damage was done to their home, it ended up with me trying to hold them both accountable, along with both of their insurance companies, and their subcontractors insurance broker, with two billion dollar insurance companies who both blamed the other for other damage.

114. That is what it has been like between the State of Tennessee and the Federal Government in this case.



115. Nothing that either of them did was remotely legal, lawful, ethical, of good repute, nor in alignment with the federal rules, that all pleadings must seek justice. Not one in either case ever did. In truth it was entirely a crime.

116. While seeking help from the DOJ/USTP, the FBI, the Cour to Appeals and the Tennessee Supreme Court, everybody blame shifts and nobody has been willing to take responsibility and simply help the injured party. Intervene and save someone's life.

117. Why was this case filed in Michigan? As you can see, on the face as stated I originally had planned to file it in Tennessee.

118. But I've also spent the past four years fighting for my life, first through the Chancery Court which was point blank corrupt. No two ways about it. All the players were close family friends, one even in excess of forty years, unbeknownst to me at the time.

119. Probably looking at the documents in my case, you may think I'm out digging for gold, trying to capitalize on some... I don't know if you can see the real damage caused yet or not. I hope not. If you could see the damages and still were seeking to discard my case I would need to file for a recusal, because to know what I have survived and lived through "under color of law", while not having the moral fortitude to try to help me instead of further harm me, would be deeply disappointing.

120. I hope that you aren't threatening to throw out all the work I have done, which has taken me well over 1200 days working 10-16 hours per day, at the very least six days per week, and wanting to non-solicitously discard my case without due process, before I even get the parties served, again, this is where in each and every case to date I have given the court the benefit of the

doubt. While unfortunately the trial court this all started out in, should have never been given the benefit of the doubt, but I didn't know the players, I knew almost nothing about the legal system. I was just trying to survive. Unfortunately, they literally had no plan which included allowing me to survive, or at least not helping me to survive in any way.

121. I'm hopping around a little bit here, please forgive me, I've been awake for a couple of days, it is Tuesday morning at 4am right now. My whole world was sidetracked with the possibility of dismissing my case. I don't have the ability to not be completely sidetracked by such a proposal.

122. I can promise you, that dismissing my case would be impossible short of literal racketeering, corruption, and government coverup. I can prove that to you, but I will need time to.

123. I can't do it all today, despite spending the past four days completely hijacked and working around the clock on this endeavor, I have less than two weeks left to complete my "First Amended Complaint" and serve all of the parties.

124. My point earlier when I began to mention my bankruptcy referral/investigation with the DOJ/USTP, was after Paul A. Randolph Acting United States Trustee for Region 8 transferred my case to USTP Megan Seliber, a Trial Attorney for the DOJ in Nashville, she didn't really want to investigate my fraud complaint. Her excuse was that it had "been so long". This also relates to your comment about all the pages that I've filed in this case, and the absurd number of parties.

125. There is nobody in the world who doesn't know, hate, and isn't unfathomably overwhelmed and further injured every day by how long I am forced to fight in an attempt to get

the most tiny, remedial cure. While yes, if there wasn't an entire region of "bad actors" working together toward deprivation injury, while weaponizing the courts for their personal gain, without giving a damn about honesty, truth, justice, the rule of law, the rules of conduct, the federal rules, the judicial canons, and heaven forbid my natural or constitutional rights, nobody knows how obscene the extensive efforts which I have gone through to obtain a cure, and how many years I have had to fight literally 12-16 hours per day, six if not seven days a week, while I have written between 10,000 - 20,000 pages of sworn testimony, with clear and convincing evidence, only a thousand pages of which made my final cut and was actually filed between the Williamson County Chancery Court and the Tennessee Court of Appeal and the Tennessee Supreme Court.

126. While to date I can not see that one single word of those one thousand pages of TRUTH, have ever been used to my benefit outside the court room.

127. My life has been completely destroyed, deprived, officially oppressed under the color of law, which is actually Hobbs Act "extortion" of first my property and then my silence with a fraudulent "Order of Protection" by fraudulent "default" judgments after I was wrongfully evicted from my home without due process and geographically dislocated to the State of Michigan, to obtain emergency replacement shelter with my elderly mother in Linden.

128. While the "kicker" is, that the only reason I am here today filing this lawsuit, has nothing to do with money. It actually has nothing to do with my divorce or even my home which was stolen under color of law. It's worse than that. The only reason why I have been fighting for my life, literally for four years against an obscene number of powerful "members of the court" in Middle Tennessee, is because they put a fraudulent order of protection on me by "default", after



they had already committed multiple felonies against me, and stolen my property. (That may sound offensive, but I can definitively prove that to you, in a thirty-minute conversation in your court, if you are willing to indulge me.) But it would take me hundreds of pages of writing to **try to articulate** the same thing that I can easily explain and **show** you in 15-30 minutes.

129. So I'm giving you the benefit of the doubt at the moment, that you think I have bad motives, or am a drama queen, or an ass, or that I really lack evidence that this horrifically cruel shit has been done to me by an awful horde of powerful "members of the court", and that you aren't really just operating out of some wrongful motives and seeking to protect the corrupt elitists who have so savagely injured me.

130. I am completely willing to drive to Lansing and meet with you, provided you allow me to be heard, and you let me set all the technical mumbo jumbo aside, because technicalities should never matter for a pro se litigant, at least not more than "justice" matters, while to date every injury against me is do to pretentious "technicality", when in fact, it was all a rouse.

131. I've spent years studying the rules of conduct, the laws, and though I am not and was not perfect, I never once committed fraud on the court. I never once operated in bad faith. I have never once had an ulterior motive. I have never once had malice or acted in any way to interfere with the judicial machinery. But the defendants did almost exclusively.

132. What I have learned was not some populist opinion, I did not pick up someone else's offenses with the judiciary. I am not out to expose every inefficient system, or challenge every tough guy, or perscn who seems not to quite be shooting straight.

133. To be honest, I was willing to give them everything that I owed for the first two

years, throughout my attempts in the State of Tennessee's Court of Appeals as well as my motion to transfer my appeal to the Tennessee Supreme Court, if they would just remove their noose of corruption from around my neck, but they not only refused... I honestly lack the language to express what they have done to me. It's not believable unless you don't have a bias and simply look, while bearing in mind that everything written in the court records by people other than me, is substantially fraudulent.

134. I'm not here to bring disrepute upon the judiciary. I'm here to help improve it and protect others from what I have experienced.

135. I almost lost my life in what they savagely did to me. It is very likely that I will never recover. But the only chance I have is to fight to get my person and my life back. I don't have a "plan B" if you dismiss my case. I have already lost four years of my life to what I will irrefutably prove to you (if given the chance) is an obscene amount of criminal misconduct without one legal lawful, honest, good faith action. But if you dismiss my case, that means that I will lose another year or two years fighting in other courts just to get back to where I stand today.

136. This is life or death to me. I don't mean that in some spooky or threatening way, I just mean that they stole and destroyed who I am. Without me having an opportunity to recover my person, my rights, my dignity, my independence, my self-sufficiency, my manhood, my peace, my life back, there is nowhere for me to go from here except to keep fighting 12-16 hours per day, for years into the future.

137. While just once I would like to walk into a court and not have both the court and the other obscene hoarde of litigants all working against me. That is overwhelming and exhausting

beyond words.

138. So, I filed my case in your court, because I had my lawsuit filled out to file in Nashville, but I KNOW the conflicts of interest which exist there, which means I have a none-minus chance of probably winning there.

139. In Michigan or Ohio, I probably have a “slim-to-none” chance. In the State of Tennessee, I anticipate that my chance of ever being able to successfully reach justice as probably “none-minus”. While I assure you that has absolutely nothing to do with the “merits” of my case, or the truth. It has solely to do with the judicial titans I’m up against, and a system which is known to protect its own. While on top of that, Courts rather universally despise pro se litigants.

140. So, if your concern is the merits of my case, I would love the opportunity to come meet you face to face, without needing to figure out how to articulate it all and write it all out, because I haven’t ever been able to completely yet. But I can explain it to you face to face in 15-30 minutes.

141. What I ask in return, if you are agreeable to that, is once I prove to you the merits of my case, and the crimes obscenely committed between the Chancery and Bankruptcy Courts in Middle Tennessee, is once I irrefutably convince you of the guilt and criminal intentions and actions of the defendants in my case (when you see the truth, there literally can be no reasonable excuse for the evidence on record, and it only takes a few minutes to show you, irrefutably.

142. If you will entertain that, then what I ask in return, is once I prove the merits of the criminal damage they have caused me in sharp contrast with all of their oaths of office, is after I prove to you their guilt, I ask for your protection, and a path by which I can litigate my case, without



needing to fight all these monsters on a slew of technicalities and entertain all of their fraudulent motions to dismiss.

143. Because then you will know they are guilty of what I claim, at least most of it, while yes, the litigation is a challenge to me, but their criminal guilt in an obscene amount of Title-18 felonies I can prove for many in just ten minutes.

144. How they have “gamed” the system and exploited my disabilities in the past, is by hitting me with multiple actions at the same time, with an obscene amount of fraud, and basically overwhelmed my ability to defend myself, while they bulldoze me. (Regardless of merits, right and wrong, injury or relief.)

145. I would really like it... I know they are all going to file ridiculous fraud woven motions to dismiss... because they can... not because of merits. I would request that they be required to back all pleadings and motions with their signatures under the penalty of perjury. While I know that despite the expectation that members of the court tell the truth in court and in pleadings, I promise you they don't even flinch when lying in open court or in pleadings. That is all that they have done with me.

146. I Jeffrey Ryan Fenton swear under the penalty of perjury, of that thousand pages which I have filed on the Court records in the Tennessee State Courts, and throughout four years of fighting for my life almost non-stop, I have only told ONE LIE throughout the entire duration, and that was in regards to a \$1,000 piece of personal property, which before I left the State of Tennessee I made right anyway, despite how much damage I knew that I suffered at the hands of my ex-wife and her attorneys, I obtained that piece of \$1,000 personal property (when it was new,

three years earlier), and I left it for my ex-wife at our home as a parting gift.

147. Not because any court could make me, not because it was hers, not because I couldn't hand onto it, not because I didn't really like it and want to keep it, despite all the criminal shit they did to me, which was essentially everything they did, at the end, two things really, I love my wife, and I wish I could have given her everything she wanted in life, but I couldn't. And secondly, I had to tell myself "To thine own self be true". No matter what savage lawless crap they did to me. Having it would have been a daily reminder of the life I lost... though just a tiny piece of bling in the grand scheme of things.

148. So, everything else that I have filed in my court record, everything, is the god's honest truth! Under the penalty of perjury. That is light years from the merits of the defendants. Light years!

149. I told the FBI, the same thing, while I told the Special Agent, if I had told them about my one tiny inconsequential lie, they would have crucified me for it, when not one thing they did was ever honest or legal, for the motives claimed.

150. That's who I am. Far from perfect, but I don't lie to myself or others about who I am. Actually, if you want to learn anything negative about me, read my own pleadings in court. Then you will learn about my real character defects, which I've pleaded myself in the court records, but reading their "monstered" fraudulent narrative, you will never learn any truth about me, not because I'm perfect, but because they never argued one real merit. Except maybe that I write a lot, but my wife knew that when she met me. It was one of the things she liked, while she was typically my proofreader. Not the wounded narrative of being "verbally abused".

151. I told the Court before, if they took my ten to twenty thousand pages of testimony, (my unfiled drafts, day after day, often rewritten 50-150 times), trying to get them “right”, so that maybe something I filed might be used to my benefit for once... if someone just compared my testimony between the hundreds of drafted documents that I have, the statistical probability of me providing essentially the same testimony a hundred different ways would more likely than not be TRUE, simply because it would be unreasonable to think that (short of an eidetic memory, which I certainly do not have), that I could draft lies so precisely the same countless times, day after day, sometimes 50 pages per day, every day, for the first couple of years. Each day I would wake up and forget where I left off and start all over again, never remembering which draft was my best, and never satisfied with any of them.

152. That is what happens, when you are a fighter, a survivor, but a gang of lawless thugs literally overwhelms you ability to defend yourself. You get stuck in a loop... repeating day after day, trying to write something good enough that can finally convey the depth and breadth of the damages which were done to you. When they are powerful enough, nobody even cares what is true. Honestly most people would rather not carry the burden of knowing that you were caused criminal harm by their powerful friends or peers.

153. I’m telling you the truth, and if you have any doubt, I can prove it to you face to face in 15-30 minutes. The same amount of time as the two short hearings which took place under color of law in Williamson Chancery Court, which cost me my entire life and my ability to work, have relationships, be independent, move forward.

154. That’s what somebody doesn’t do when they are trying to get away with the



“perfect crime” in a divorce, such as my ex-wife for example. Her attorneys got her exactly what she wanted, even though it was horrifically short sighted, illegal, and terribly detrimental even to herself, there was literally nothing more which she could have hoped for.

155. So, do you know what you don’t do when you commit the “perfect crime”? You don’t tether yourself to the person you just robbed, who are you trying to allegedly “divorce”. Especially when both my ex-wife and I are NRA Life Members, and I have been deprived of my second amendment right without ever a single act of impropriety, violence, danger, none of that nonsense. My point is, that both my ex-wife and I would gnaw off our own legs if we are tethered to a corrupt judge 600 miles away who is denying our second amendment freedoms, under completely fraudulent “default” judgments, which hold no merit or truth whatsoever.

156. To the extent that I would more eagerly sacrifice hundreds of thousands of dollars than allow anyone to degrade my constitutional rights in this great nation. Which my exwife knows irrefutably, while she is the exact same way. So, the act of depriving me of my person and my constitutional rights, is literally the only way that her counsel could literally guarantee that I can never move forward in my life, forcing me to devote nearly every waking minute of my life to exposing their crimes to get my person and my freedoms restored.

157. They did the one and only thing which absolutely guaranteed that they would get caught. Brazen, and frankly sadistic I believe. Defendant Story has literally been playing “Russian roulette” with all of our lives, because I sincerely believe that she thrives on causing me the pain, domination, and punishing me for daring to challenge her and trying to stand up for my rights.

158. I would bet my life on that.

159. This may sound offensive, I don't say it to be disrespectful, this honestly is what I believe and have testified to since my attempt to appeal to the Tennessee Supreme Court.

160. My ex-wife's counsel is violating their fiduciary duty to my exwife, by holding my constitutional rights hostage. By refusing me any cure within the State, with over two years of fighting all day every day (while that alone should tell you that never were any "default" judgments legal - because I never failed to plead, while I believe that fighting day and night for over four-years while filing over a thousand pages of sworn testimony combined with clear and convincing evidence rather testifies that they wish to defend their case.

161. While no "default" judgment is supposed to stand, even when a pro se party is negligent, provided they are operating in good faith, not trying to jam up the wheels of justice, while I tend ot believe that four years and a thousand filed pages testifies beyond any threshold of reasonableness, that I wish to defnd my case.

162. Yet everything is maintained by "default", not based upon even their character assasination of me, because they refused to consider my defense which was already all on court record, so they went for the straight "default", never having heard the case, never having allowed my defense, never even providing me notice of their secret hearings or allowing me to participate in any way.

163. While when I was in the Tennessee Court of Appeals, and I found an old newspaper article that showed that both my sadistic opposing counsel and the presiding judge had a long and sordid past, have been a known conflict of interest for decades, while being published in newspapers as vacationing and partying buddies.

164. I about feel over when I discovered that. After which I tried to file an emergency motion in the Court of Appeal, while I attached the newspaper articles and was finally start to put the pieces together and I was testifying to the Court of Appeals about the misconduct between the two.

165. That was when Binkley and Story retaliated against me, and hit me with a five-year extension of my fraudulent default “order of protection” from almost 600-miles away, with no notice, no hearing, heck, I’ve never even once received a motion for the default or for the OP extension, while everybody has refused to even tell me what that insane 5-more years of official oppression is pretended to be based upon.

166. While I testified repeatedly in the Tennessee Court of App0eals, that I could not even WORK to survive with that fraudulent “Order of Protection” on me. Due to COVID, my elderly mother who I was dumped on, happens to have a life threatening immunity disorder, so we stayed on full quarantine for the first two years of COVID... even one of the Kids for Cash judges got out of prison due to COVID, but these monsters refused to even remove the fraudulent OP so that I could even try to work the most rudimentary job from home, while working from home is the only job that I can still work, so thy have rendered me unable at fifty years old of even being able to buy my own toiletries, after they stole hundreds of thousands of dollars from me.

167. While as I said, my ex-wife is a highly trained, skilled, equipped, licensed handgun trainer! With two obscene assault weapons (I don’t even own a rifle), and on the day she moved our ammunition out of our marital residence, she counted it into inventory and she had just over 5,000 rounds of ammo. While they are pretending that I “cyber stalked” her, which is a lie. She





was literally on friendly terms with me until a couple of days before I was served divorce papers, while they had me served with the fraudulent “Order of Protection” at the same time to bind and gag me, while they throw me out of my home the month after, with just a five day notice. Refusing to even allow me to take my personal property with me... after 25 years of being a hardworking, taxpaying, peaceful Tennessee Resident. Never once in my adult life arrested. Never once touched my ex-wife in anger. Never even got a single traffic citation during my 25-years living in Tennessee.

168. Everything was fraud!

169. They treated me in court like I could not even be trusted with my own home. While I was a licensed real estate agent in Middle Tennessee for 16 ½ years, with access to literally hundreds of millions of dollars, without every one single complaint, in 16 ½ years. With a lifetime handgun license and zero incidents. Without a single call to the police, no domestics, until the night my ex-decided to move out with a police escort, totally unnecessarily, and she called the police playing the “gosh I’m scared game”, purely for a strategic advantage. While the officers told me that it was recorded as a “domestic verbal”, and told me there was no crime, that it is completely legal to argue with your wife, while that was all it ever was.

170. I have never touched her in anger, nor have I ever threatened to. If you knew how sacred I treated her peaceful enjoyment of her apartment after she moved out, you would understand why that is about the most hurtful allegation that anybody can make about me, and I equate it to the likes of being called a pedophile. It is all fraud, yet it can ruin your life whether there is any truth to it or not.

171. While defendant Story intentionally assassinated my character before I ever entered

the Chancery Court.

172. While my case was in the Chancery Court, I had no idea that defendants Story and Binkley were even friends outside the court room. (Now that I know the rules of conduct as well as the laws involved, Binkley disqualified himself multiple times over, via 455(a), over and over, and over again. While refusing to recuse himself, rendering absolutely everything in the Chancery Court irrefutably void... yet I didn't know that language then, while the COA refused to do their job and vacate obviously void judgments where I obviously never failed to plead, yet they allowed completely fraudulent default judgment to continue to rule rather than simply setting me free from his and Story's outrageous official oppression.... Per fraudulent "default" judgments, from 600 miles away, after they already wrongfully evicted me from my home, even though they knew it would literally render me homeless within the State of Tennessee. They didn't care!

173. We never even began "discovery" for the alleged "divorce" they just took my hope, had the Sheriff's Office run me out of my home with an unlawful eviction, then I had to escape to Michigan to obtain emergency replacement shelter, and he knew that I didn't have the resources to fight an out of state judgment.

174. This addresses one of your questions... what interest the Western District of Michigan has in all the misconduct and crimes committed against me by the State of Tennessee.

175. WELFARE. By the criminal misconduct of courts in Tennessee, I have been discarded destitute onto the welfare rolls of the State of Michigan. While if I can obtain no cure, I will inevitably be a liability upon our State and Federal Government for the rest of my life, at absolutely no fault of my own.



176. From the very beginning I saw and knew how abusive defendant Story was. While I have reported her misconduct to every court while asking them to protect me from her, but nobody has.

177. She is known to host “vacations” with judges throughout middle Tennessee, along with other powerful decision makers. That is why it literally doesn’t matter what the truth is in my case. Not one person has ever cared. While now I know that is judicial misconduct to allow her to almost non-stop violate the rules of conduct, literally with almost every sentence that she spoke.

178. Allowing her to make false statements about matters of law, that were about the polar opposite of what the actual law really was.

179. While Binkley not only failed to correct her false statements about matters of law, but he sat at the bench, nodding his head up and down, while grunting sounds of agreement to absolutely false statements of law, after which he literally made completely lawless and unreasonable judgements based upon her false statements of law.

180. You don’t need to take my word for anything. I have an absurd amount of evidence, while that is some of her most tame behavior.

181. Or I wouldn’t still be fighting to survive exclusively fraudulent “default” judgments.

182. Because contrary to what they may claim, I have never failed to plead!

183. If they just restored my person, expunged the lies, and let me crawl out of the State of Tennessee with my life, liberty, and pursuit of happiness (and my constitutional first and second amendment rights) intact. But they refused to let me.



184. I'm giving you the benefit of the doubt, that maybe you can't see my injury yet. Maybe with all the obscene documentation in my case and some of the more flamboyant or graphical story telling, that maybe you think that I'm a smart ass, or maybe you think I'm out to disrepute the judiciary, or maybe I'm just out hunting for a payday, none of which I can swear to you and easily prove to you in person, if you are just the tinyist bit equal and "impartial", I can show and explain to you in person, in probably 30 minutes, that at the very least 75% of the parties in my case all have caused me intentional criminal harm.

185. I don't have time to prepare a proper response, but I must file a response to try to protect my case, so please know that due to my disabilities, I am not able to move fast, clearly, and concisely. This will be choppy, but I am doing the best that I can on short notice.

186. I need electronic service. I do not have time to waste waiting on the mail, while if my box is full my mail carrier may not cram extra stuff in my box, so I may not be aware that I ever received a filing by the court.

187. With my disabilities, I have only a fraction of a percent of a chance at ever being able to litigate this case to successful completion, not due to what is right, or true, or just, or legal, but because of the number of power players who I am against, who have already demonstrated their capacity to play the game, without regard for the truth, good faith, just motives, or anything of good and ethical repute.

188. I need every advantage I can get and every chance I can possibly be afforded to try to litigate my case pro se. Electronic notice and filing is absolutely critical to me having any real opportunity to defend my case in federal court.

189. I did not receive the “Report and Recommendation” by the Western District of Michigan until the evening of 12/27/2019.

190. I have been frantically staying awake for the past two days doing everything in my power to reply to this to protect my case, but I do not have the ability to move quickly. I have “Obsessive Compulsive Personality Disorder” (OCPD) and “Attention deficit Disorder” (ADHD). Time is my greatest liability, and I need every aid possible for me to have any chance at reaching justice in this case.

191. The reason that I filed this in Lansing rather than another Federal Court in the State of Michigan, is because I called the court first, I spoke with a clerk named “Emily” on 10/11/2023, and she told me that I could file it in Lansing, while she specifically told me that if it needed to be forwarded to a different District Court, that the Western District Court would forward my complaint wherever it needed to go, while preserving the filing date.

192. [https://www.rico.jeffenton.com/evidence/2023-10-11\\_usdc-wdm-emily-can-file-in-lansing.mp3](https://www.rico.jeffenton.com/evidence/2023-10-11_usdc-wdm-emily-can-file-in-lansing.mp3)

193. I don’t have time right now to elaborate a lot, it is currently 1:37PM on 12/29/2023, and today is my final day to drive this to Lansing to file it at the court.

194. I’ve uploaded the recorded phone call from my conversation with Emily at the Western District of Michigan<sup>15</sup>, please listen to it to verify that I did exactly as I was instructed. While I was not informed that there was any deviation or risk of my case not being forwarded to the correct court, let alone being dismissed.

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<sup>15</sup> [https://www.rico.jeffenton.com/evidence/2023-10-11\\_usdc-wdm-emily-can-file-in-lansing.mp3](https://www.rico.jeffenton.com/evidence/2023-10-11_usdc-wdm-emily-can-file-in-lansing.mp3)



195. I have been working literally six days per week, 12-16 hours per day, since I filed my complaint on 10/13/2023 to write my "First Amended Complaint", which I hope to have done within the next week and a half to two weeks, so that I can hopefully serve it within the required 90 days. (My "First Amended Complaint" has massive improvements to fix the errors.)

196. I don't have that finished though I have made massive improvements, while I am providing references throughout my 2,000 page record, with great specificity, so that it will be easy to find citations without a need to read a lot of excess documentation.

197. I don't have time to tell you anymore now. I would love to, but I need more time please. I need to get my "First Amended Complaint" done before needing to spend more days simply trying to keep you from dismissing my case.

198. I swear to you that I am not trying to disrepute the judiciary in any way. I have entered each court taking for granted that I would obtain justice. It is only after an absurd amount of crimes have been committed against me by the previous courts that I've been forced to research and learn about the crimes which have sadly been committed against me.

199. I wish I had time to explain more to you. Please give me more time. Justice is dependent upon me having a hearing and due process, which I have yet to be afforded, despite the mountain of "power" which I am up against.

200. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael Weimar Binkley, Attorney Virginia Lee Story, Attorney Kathryn Lynn Yarbrough, Attorney Mary Elizabeth Maney Ausbrooks, Attorney Alexander Sergey Koval, and Attorney Henry Edward Hildebrand, III, at the very least, participated in a racketeering conspiracy against my rights and



my property, between the United States Bankruptcy Court Middle Tennessee District and the Williamson County Chancery Court, under the color of law, office, and official right, though wholly repugnant of the rule of law, both state and federal constitutions, the federal rules of civil procedure, the federal rules of bankruptcy procedure, a multitude of federal bankruptcy laws, along with gross violations of Title-18, Title-28, and Title-42 federal laws.

201. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael Weimar Binkley, Attorney Virginia Lee Story, Attorney Kathryn Lynn Yarbrough, Attorney Mary Elizabeth Maney Ausbrooks, Attorney Alexander Sergey Koval, and Attorney Henry Edward Hildebrand, III, at the very least, further violated the federal judicial canons, the State of Tennessee's Rules of Judicial and professional conduct, as well as violating my natural inalienable human rights.

202. I Jeffrey Ryan Fenton swear under the penalty of perjury, the following crimes have been committed against me by those named above and other defendants in this case: Excessive "Fraud on the Court" by Officers of both the United States Bankruptcy Court for the Middle District of Tennessee and the Williamson County Chancery Court; who Conspired together (U.S.C. 18 § 241) to strategically Circumvent & deprive my lawful Rights and Property Under Color of Law (U.S.C. 18 § 242), Office, and Official Right (18 U.S.C. § 1951), using a Fraudulent Bankruptcy petition (18 U.S.C. § 157) where my property investments and interests were falsely denied and fraudulently misrepresented, while intentionally denying me and my two lawful tenants/roommates who had legitimate leasehold property interests, with an adversarial proceeding or at the very least notice and a hearing in Federal District or Bankruptcy Court

(F.R.B.P. 7001 & 11 U.S.C. § 363), further committing Concealment of Assets; False Oaths and Claims; Bribery (18 U.S.C. § 152) to wrongfully deprive a qualified ADA individual – me (42 U.S.C. §§ 12202, 12203) with the loss of over a million dollars of lifetime enjoyment and net wealth in my property investments (18 U.S.C. §§ 1341, 1957), without notice or opportunity sufficient to save my property interests (42 U.S.C. § 1985), nor to attempt to mitigate my losses (42 U.S.C. § 1986), to the unwarranted, unnecessary, unrecoverable financial detriment of myself, and severe damage to my ex-wife, while it was entirely avoidable.

203. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael Weimar Binkley is guilty of “Official Oppression” for placing an unlawful 6-year “Order of Protection” against me based upon the false unsigned personal testimony of my ex-wife, and an almost exclusively fraudulent narrative fabricated by Attorney Virginia Lee Story.

204. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael Weimar Binkley and Attorney Virginia Lee Story are guilty of coercion my signature on a listing agreement under the threat of incarceration in Chancery Court on 8/29/2019.

205. I Jeffrey Ryan Fenton swear under the penalty of perjury that Attorney Virginia Lee Story is guilty of extortion by holding my personal property hostage, and even obtaining a federal court order from the United States Bankruptcy Court under fraudulent pretenses, to allow her to “sell” or “discard” my personal property, which she only had possession of due to her own lies and “Obstruction to Justice” in Chancery Court on 8/29/2019.

206. To clarify the extent of the abuse by Attorney Story, this Federal Court order to sell or discard of my personal property, was to intentionally supersede the State of Tennessee’s

“Personal Property Exemption”, where any litigant can protect \$10k worth of their personal property from forfeiture in any civil suit in the State of Tennessee.

207. Attorney Story intentionally obtained the Federal Court order to supersede Tennessee State law, specifically while threatening to discard or sell my personal property (which she fraudulently forced me to leave behind on 8/29/2019 in Chancery Court), demanding thousands of dollars to pay for storage or prevent her from literally discarding my stuff.

208. This was so obscenely abusive for the sole purpose of causing me further harm. Without it being of financial benefit to any party. Just to further dominate and punish me for trying to stand up for my rights.

209. **I Jeffrey Ryan Fenton swear under the penalty of perjury, that I have been litigiously tortured by Judge Michael Weimar Binkley and Attorney Virginia Lee Story.**

210. I Jeffrey Ryan Fenton swear under the penalty of perjury, that every action in Williamson County Chancery Court Docket #48419B is VOID (not voidable). Due to Judicial Bias, failed Due Process of Law, Jurisdictional Violations, and an excessive amount of “Fraud On the Court by Officer(s) of the Court.”

211. Each of which have no “statute of limitations” for seeking corrections and a cure.

212. Executed completely in bad faith by Attorney Virginia Lee Story, an undisclosed close family friend of Presiding Judge Michael W. Binkley. Ms. Story strategically fabricated an almost exclusively “fraudulent narrative”, to falsely assassinate my character, before I ever entered the Court. To forcefully take from me nearly everything I spent my life working for, invested toward our retirement, devoted my life to, and cherished. Although of hardly any financial



significance to her.

213. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael W. Binkley refused his Judicial Supervisory Duties (which are not optional) to correct Attorney Story's false statements regarding matters of law, while he also refused to correct her almost non-stop violations of the "Rules of Professional Conduct".

214. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael W. Binkley allowed Ms. Story's pleadings to seek further favor, dominance, and depravity, "under color of law", instead of justice, as is required of all judicial pleadings, by the Federal Rules of Civil Procedure, the Judicial Canons, and the Rules of Professional Conduct. None of which Judge Binkley nor Attorney Story showed any care or submission toward, whatsoever.

215. It will require **multiple declarations** for me to articulate the depth and breadth of the crimes which were committed against me and my family "under color of law," in Williamson County Chancery Court and the United States Bankruptcy Court for the Middle District of Tennessee.

216. Along with the damage which we have and continue to daily suffer.

217. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael W. Binkley and Attorney Virginia Lee Story have committed Hobbs Act "extortion of my property" followed by "extortion of my silence" against me.

218. I Jeffrey Ryan Fenton swear under the penalty of perjury, that Judge Michael Weimar Binkley and Attorney Virginia Lee Story and ADA "Coercion/Extortion/Threats/Retaliation/and Interference".

219. I Jeffrey Ryan Fenton swear under the penalty of perjury, that my testimony has never been heard or considered, despite the fact that I have never failed to plead. I had over 250 pages of sworn testimony including clear and convincing evidence that every action brought against me was substantially fraudulent, which I filed in the Chancery Court on 8/29/2019, before they wrongfully evicted me from my home, driving me to the State of Michigan to seek emergency shelter and provision in the 748 SqFt basement of my elderly mother who lives in Linden, Michigan.

220. I have done nothing but been literally terrorized by the court system so far. While not one single action was my fault. While every action is required by the Federal Rules of Civil Procedure to seek justice, yet not one filing by the defendants in this case ever did. Not in state court, not in federal court.

221. I can not respond to anything within 14 days. I don't even have time to do the research and understand what I'm replying to or how I should reply in fourteen days. Right now I will need to stay awake all night working on this, I'm sure that it will be rough at best, but I must drive to Lansing tomorrow to file this at the court in person, since I have been denied electronic filing, and since my 14-day deadline seems to be expiring today, the day that I've received this reply from the court.

222. The genesis of this complaint came colored as a domestic divorce action (with no children), executed in the Williamson County Chancery Court in the State of Tennessee.

223. Bundled along with a completely unnecessary, strategically engineered, precisely timed, fraudulent federal bankruptcy filing, to cheat me out of my property interests, while

alleviating my ex-wife of all financial responsibility for paying the significant “transitional alimony” as we had repeatedly agreed upon.

224. The Chancery Court usurped—or the bankruptcy court abdicated—jurisdiction<sup>16</sup> over the marital home, in violation of 28 U.S. Code § 1334(e)(1),<sup>17</sup> which states: “The district court in which a case under title 11 is commenced or is pending shall have exclusive jurisdiction—of all the property, wherever located, of the debtor as of the commencement of such case, and of property of the estate.”

225. The Williamson County Chancery Court was leveraged by the defendants to literally circumvent the Federal Rules of Bankruptcy Procedure and an outrageous number of Federal Bankruptcy Laws, for the primary purpose of unlawfully depriving my multiple legitimate property interests in our marital residence, along with my two lawful tenants legitimate leasehold property interests in our marital residence, located at 1986 Sunnyside Drive, Brentwood, TN 37027, without equal and due process of law, while denying me the “adequate protection” required by the Bankruptcy Court.

226. To be clear, the United States Bankruptcy Court was required to provide me and my two lawful tenants/roommates with notice and a hearing in either Federal Bankruptcy Court or in the Federal District Court, at the very beginning of the bankruptcy filing.

227. I had possession of the marital residence; my ex-wife had moved out the year prior. The bankruptcy court was required by Rule 7001 of the Federal Rules of Bankruptcy Procedure

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<sup>16</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882 (See e.g., *In re Palmer*, 78 B.R. 402, 405-06 (Bankr. E.D.N.Y. 1987))

<sup>17</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882



and 11 U.S.C. § 363 to provide both myself and my two lawful tenants/roommates with an “adverse proceeding” (or at the very least notice by which I could file an adverse proceeding) in order for the court to determine if the marital residence could be sold as part of the bankruptcy estate, in compliance with 11 U.S.C. § 363, as it was secretly and deceptively listed on my ex-wife’s bankruptcy petition, by her bankruptcy counsel, defendant Ausbrooks.

228. Nothing that happened in either court was legal, lawful, honorable, done in good-faith, equal, impartial, ethical, unbiased, fair, for the purposes claimed.

#### WILLIAMSON COUNTY CHANCERY COURT

229. This case addresses harm caused in **Docket #48419B**<sup>18</sup> filed on **6/4/2019**, by **Story, Abernathy, and Campbell, PLLP** in Williamson County Chancery Court, in the State of Tennessee. The Courthouse is located at 135 4th Avenue South, Franklin, TN 37064.

230. The Chancery Court Clerk & Master was **Attorney Elaine Beaty Beeler** (BPR# 016583), the presiding Chancellor was **Judge Michael Weimar Binkley** (BPR# 005930), while my opposing Counsel was **Attorney Virginia Lee Story** (BPR# 011700) and **Attorney Kathryn Lynn Yarbrough** (BPR# 032789) with **Story, Abernathy, and Campbell, PLLP**.

#### U.S. BANKRUPTCY COURT - MIDDLE TENNESSEE

231. The actions taken in Williamson County Chancery Court, were directly tied to, in coordination with, and allegedly based upon the **Chapter-13** bankruptcy petition filed by my ex-

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<sup>18</sup> [https://rico.jeffenton.com/evidence/2019-06-04\\_fenton-chancery-court-record-48419b.pdf](https://rico.jeffenton.com/evidence/2019-06-04_fenton-chancery-court-record-48419b.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.641 ~ ECF No. 1-26, PageID.1369)

wife, in **Case 3:19-bk-02693<sup>19</sup>** in **The United States Bankruptcy Court for the Middle District of Tennessee**. Located at 701 Broadway Ste 260, Nashville, TN 37203-3983.

232. The Federal Bankruptcy Court Judge presiding was **Judge Charles M. Walker** (BPR# 019884). The Chapter-13 Trustee responsible was **Attorney Henry Edward Hildebrand, III** (BPR# 032168). While Bankruptcy Counsel for my ex-wife was **Attorney Mary Elizabeth Maney Ausbrooks** (BPR# 018097) and **Attorney Alexander Sergey Koval** (BPR# 029541) both of **ROTHSCHILD & AUSBROOKS, PLLC**.

#### **COURT OF APPEALS OF TENNESSEE AT NASHVILLE**

233. Upon appeal of the actions above in Chancery Court, I was the “Appellant” at the **Court of Appeals of Tennessee at Nashville, in No. M2019-02059-COA-R3-CV.<sup>20</sup>**

234. The Court of Appeals dismissed<sup>21</sup> my appeal, without correction, assistance or cure. Refusing to act upon the clearly disclosed judicial and attorney misconduct, either in error, bias, collusion, and/or negligence.

235. The Order dismissing my appeal was approved by the following panel of Judges: **Judge Frank Goad Clement** (BPR# 006619), **Judge Andy Dwane Bennett** (BPR# 009894), and **Judge William Neal McBrayer** (BPR# 013879).

#### **SUPREME COURT OF TENNESSEE AT NASHVILLE**

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<sup>19</sup> [https://rico.jeffenton.com/evidence/2019-04-26\\_fenton-bankruptcy-record-3-19-bk-02693.pdf](https://rico.jeffenton.com/evidence/2019-04-26_fenton-bankruptcy-record-3-19-bk-02693.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-8, PageID.74 ~ ECF No. 1-11, PageID.478)

<sup>20</sup> [https://rico.jeffenton.com/evidence/2021-01-19\\_fenton-seeking-help-tnsc-coa-aoc-bpr-fbi-ustp.pdf](https://rico.jeffenton.com/evidence/2021-01-19_fenton-seeking-help-tnsc-coa-aoc-bpr-fbi-ustp.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1684-1691)

<sup>21</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1693

236. I attempted to escalate my appeal to the **Supreme Court of Tennessee at Nashville**, in **No. M2019-02059-SC-R11-CV<sup>22</sup>**, but my application for permission to appeal was denied.<sup>23</sup>

237. The United States Bankruptcy Court for the Middle District of Tennessee, was **not** allowed by the Federal Rules of Bankruptcy Procedure (Rule 7001) and related Bankruptcy Laws (11 U.S.C. § 362, § 363, § 541, § 542, § 1204, § 1205, § 1206, § 1207, § 1208) to force the sale of my home.

238. This was the strategic purpose for the Chancery Court in this conspiracy. The Chancery Court was literally used to circumvent the Federal Rules of Bankruptcy Procedure and Federal Bankruptcy Laws, to specifically deprive my property interests, though the State Courts were forbidden from exercising jurisdiction over property in a federal bankruptcy estate, especially when that property was core to the bankruptcy estate, as it was, and when the bankruptcy was filed 39-days before ANY action was filed in the Chancery Court.

239. The motion to sell the marital residence was “core” to the bankruptcy, which merely reinforces the fact that a Federal Court was required to hear the property deprivation to provide Plaintiff and his two lawful tenants/roommates with “adequate protection” throughout the bankruptcy.

240. In addition to that, the Bankruptcy Action was on the face fraudulent, with false details about the couple’s property interests in the Marital Residence. (Any action planted squarely

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<sup>22</sup> [https://rico.jeffenton.com/evidence/2021-01-19\\_fenton-motion-to-escalate-to-tnsc.pdf](https://rico.jeffenton.com/evidence/2021-01-19_fenton-motion-to-escalate-to-tnsc.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1370 ~ ECF No. 1-29, PageID.1683)

<sup>23</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1692



inside a fraudulent action in another court, especially for the express purpose of intentionally deceiving both courts while circumventing the rights and protections required to be obeyed in that court prior to the deprivation of the property, is fraud sowed upon fraud and can beget nothing other than fraud compounded.

241. In addition to that, the Motion to Sell the Marital Residence written by defendant Yarbrough and argued in Chancery Court on 8/1/2019 by defendant Story, was highly abusive (harassing and abuse by process) and obscenely fraudulent.

242. There are so many violations of the court's rules of professional conduct, the Federal Rules of Civil Procedure, and the rule of law, the best way that I know to try to describe this is with an extremely heavy markup I did of Yarbrough and Story's motion. I don't do this to be offensive at all, I do this because due to my disabilities, I am not capable of articulating the extent of the fraudulent bad faith claims and actions taken, without using hundreds of pages or losing the attention of my audience, so I have resorted to trying to SHOW what I literally don't have the education, knowledge, legal training, and language to communicate in a non-offensive way which is believable without showing it. I beg the court to please hear this testimony, I call it "testimony in evidence", and absent showing my testimony using graphic arts inline, I know no other way in a static inline format such as this complaint.

243. As long as I could bring our mortgage payments current and keep them current, the Bankruptcy Trustee would have been forced to remove our marital residence from.

244. I had no idea that a single mortgage payment was missed or late.

245. I had a verbal contract with my ex-wife whereby she promised to pay our mortgage



payments (and had prior to the defendants in this case) until a divorce settlement or decree, or until further notice, while I was never notified.

246. My ex-wife had changed all the financial account credentials, blocking me from having any direct access to our mortgages. She changed her email to one which she alone had access to. She changed the mailing address with our mortgage companies from our marital residence to her apartment which she rented after she moved out.

247. Short of the Bankruptcy Attorney and the Bankruptcy Trustee obeying the Federal Rules of Bankruptcy Procedure and Federal Bankruptcy Laws, or my ex-wife notifying me, I had no means of learning about the defaults, and was unconstitutionally deprived of any opportunity to save my property interests or to at the very least attempt to mitigate my losses prior to the forced deprivation of my property interests.

248. None of the aforementioned parties ever notified me, which I have confirmation from the DOJ/USTP who I requested do a bankruptcy fraud investigation.

249. After a pre-trial conference in the back of the Chancery Court on 8/1/2019, I told my counsel that I could borrow money from my mother to bring our mortgages current and to keep them current (roughly \$8k, less than I collectively spent on counsel for that day), provided I could continue living in my home.

250. As I asked my counsel if that might be possible, defendant Story overheard me and stated, **“No. It’s already too far along in the bankruptcy.”**

251. I was strategically deprived of the lawful notice and adequate protection required by the bankruptcy court.

252. Both my 5<sup>th</sup> and 14<sup>th</sup> Amendment rights as a United States Citizen were violated.

253. Furthermore, the Chancery Court placed a restraining order against me specifically forbidding me from contacting the bankruptcy court or our mortgage companies (under the guise that I somehow wished some harm upon my ex-wife's finances).

254. According to Wikipedia<sup>24</sup>: "Williamson County<sup>25</sup> is ranked as the wealthiest county in Tennessee, as well as among the wealthiest counties in the country. In 2006 it was the 17th-wealthiest county in the country according to the U.S. Census Bureau, but the Council for Community and Economic Research ranked Williamson County<sup>26</sup> as America's wealthiest county (1st) when the local cost of living was factored into the equation with median household income. In 2010, Williamson County is listed 17th on the Forbes list of the 25 wealthiest counties in America."

**BRENTWOOD MARITAL RESIDENCE WORTH \$900K<sup>27</sup> TODAY  
(ONLY OWED \$300K<sup>28</sup> ON MORTGAGES)**

255. My wife and I owned a beautiful home,<sup>29</sup> in coveted Brentwood Tennessee, which I had invested everything that I had into (including all my premarital retirement funds along with proceeds from my own premarital home).

256. Further complimented by nearly a decade of my "sweat equity", including thousands of hours of labor, making and supervising roughly \$200k of improvements<sup>30</sup> in the

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<sup>24</sup> [https://en.m.wikipedia.org/wiki/Williamson\\_County,\\_Tennessee](https://en.m.wikipedia.org/wiki/Williamson_County,_Tennessee)

<sup>25</sup> <https://williamsoncounty-tn.gov/>

<sup>26</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.497-500

<sup>27</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.485

<sup>28</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.505; ECF No.1-13, PageID.567

<sup>29</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.485, 494-512

<sup>30</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.508-511



property.

257. We purchased the home on 4/29/2011 for \$350k.<sup>31</sup>

258. Together we had roughly \$550k invested into the home, while improvements to the property were also my primary work product for much of the time between 2011-2018, during which my wife built her career in architecture.

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**OFF MARKET**

Street View

LAST SOLD ON FEB 14, 2020 FOR \$540,000

1986 Sunny Side Dr, Brentwood, TN 37027

**\$889,718** **4** **2.5** **2,640**  
Redfin Estimate Beds Baths Sq Ft

Estimated sale price  
**\$846,000 - \$1.01M**

**LOCATED AT THE NEXUS OF GREEN HILLS, BRENTWOOD, GRASSLAND, FRANKLIN!  
SURROUNDED BY HUNDREDS OF ACRES OF PROTECTED WOODLANDS!!!**

<sup>31</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1416-1431

Initials:

259. The home is currently worth \$900,000<sup>32</sup> and our sole asset and retirement investment, while the Chancery Court forced the liquidation of the property for just \$324,360.

260. On information and belief, suspiciously, exactly what was due on the mortgages, plus the auctioning fees and closing costs, without one dollar to either myself or Ms. Fenton, for their life's savings, and the sum total of both of their premarital retirement investments.

261. The very first action, the foundation for every crime, unnecessary and unconscionable loss to follow, within this complaint, was a secretly executed, falsified, fraudulent Federal Bankruptcy petition (Case 3:19-bk-02693<sup>33</sup>), executed by bankruptcy specialist Mary Elizabeth Maney Ausbrooks, through her Nashville law firm, "ROTHSCHILD & AUSBROOKS, PLLC", allegedly on behalf of Plaintiff's ex-wife. While I was strategically deprived of lawful notice<sup>34</sup> about this bankruptcy action, which my home was secretly included in, *by special request*.

262. The truth is, that my wife, never needed to file bankruptcy,<sup>35</sup> and actually had a terribly difficult time "qualifying",<sup>36</sup> because she was a highly successful professional with a \$116k annual compensation package,<sup>37</sup> before the counsel within this complaint got involved.

263. Entered on 04/26/19 at 13:29:16, on Appendix D, Part 9, "**Nonstandard Plan Provisions**", the following special request was included by defendant Ausbrooks<sup>38</sup>: "*Debtor moves*

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<sup>32</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.485, PageID.494-510

<sup>33</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-8, PageID.74 ~ ECF No. 1-11, PageID.478

<sup>34</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.565-566

<sup>35</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.569-576

<sup>36</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-8, PageID.74 ~ ECF No. 1-11, PageID.478

<sup>37</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1444

<sup>38</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-8, PageID.144

*for permission to sell real property located at 1986 Sunny Side Drive Brentwood, TN 37027 Williamson County, within 180 days of confirmation with no payments being made in the interim. The liens of Bank of America, NA and BanCorp South shall be satisfied in full and **all remaining proceeds after Debtor's homestead exemption and costs of sale shall be paid to the Chapter 13 Trustee for the benefit of the estate.**"*

264. To be clear, this language asked for permission to sell real property, owned by Ms. Fenton **and** one other equally deeded party, me, as "Tenancy by the Entirety". Which can be easily verified by checking the property deed and/or the property tax records, where I am clearly named, the same being the legal responsibilities of both defendants Ausbrooks and Hildebrand.

265. Examining this request on the face, imploring no more than common sense and the most fundamental knowledge about natural and constitutional rights in the United States of America, this request does not appear that it could have reasonably been made in "good faith" by defendant Ausbrooks, for at least the following two reasons.

- First, this "special request" sought to sell the property owned by another. (While providing them nothing in return.)
- Secondly, this language promised **all** the proceeds of the sale to benefit only the party making this request (and her creditors). Without any language indicating if or how the proposed sale could be of any benefit to the other equally deeded and mutually interested property owner.

266. That wreaked of foul-play straight off the face, yet defendant Ausbrooks filed it,





while personally and professional certifying<sup>39</sup> that her request was well grounded in law and made in good-faith. Without bringing any of the obvious concerns and potential conflicts of interest to light. Without performing any due diligence to protect the property interests of Plaintiff and to provide both Plaintiff and his two lawful tenants/roommates with adequate protection, as is required by the bankruptcy code.

267. Defendant Ausbrooks was well aware that Ms. Fenton was still married. She also knew that the State of Tennessee is a “Deed of Trust” state, not a mortgage state. Meaning that the name on a mortgage does not define who owns the property or holds legal title to it, for that the property’s “Deed of Trust” is the sole instrument.

268. Furthermore, real property which is owned by husband and wife in the State of Tennessee, is by default held as “tenancy by entirety”<sup>40</sup>. Even if I wasn’t named on the deed of trust (which I was), the property still couldn’t be sold with a clear title without me signing a Quit Claim Deed or some instrument conveying or forfeiting my “marital interest” in the property. While if that was to be compelled by **any court**, that could not be lawfully or ethically done without due process.

269. I was deprived of equal and due process of law in the Chancery Court.

270. Judge Michael W. Binkley was bias and discriminated against me.

271. Judge Michael W. Binkley and Attorney Virginia Lee Story have been repeatedly

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<sup>39</sup> FRBP Rule 9011 & 11 U.S.C. § 707

<sup>40</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.541-542

exposed in the Nashville newspapers for being “vacationing” and “partying” friends, though Judge Binkley has insisted this doesn’t present a conflict of interest for litigants, that is a lie.

272. Many people have been caused substantial harm by the corruption of Judge Michael W. Binkley.

273. Judge Michael W. Binkley has a reputation for favoring those attorneys who work for the law firm which he originally founded prior to becoming a judge, along with Attorney Virginia Lee Story who Judge Binkley has a sordid past with.

274. There is a Facebook page setup by a litigant wounded long before I even knew his name: <https://www.facebook.com/judgebinkley>

275. The title of this Facebook page is “**Investigate Michael W. Binkley Circuit Court Judge**”.

276. I never received notification that a single one of our mortgage payments had been missed.

277. Furthermore, it is unreasonable that Attorney Ausbrooks, Attorney Henry Edward Hildebrand, III, the Bankruptcy Court, or Attorney Virginia Lee Story could propret to know or determine what investment or ownership interest I had in the marital residence, based upon the testimony of any one party, other than myself or a judge who had performed equal and due process, heard both sides, and equitably divided out our interests. None of which was done.

278. Prior to a final decree of divorce, marital interests in real property or debts can not be exactly divided between spouses or definitively determined, without complying with the Federal Rules of Bankruptcy Procedure and multiple Federal Bankruptcy Laws which required that both I

and my Tenants be provided with lawful notice and hearings in either Federal District Court or in the Federal Bankruptcy Court, while providing adequate protection to both my multiple property interests as well as the tenants lawful leasehold interests, until an adversarial proceeding or other equal and due process has taken place.

279. Choosing not to notify me<sup>41</sup> or my two lawful tenants, while defendant Ausbrooks had requested that **all** our lawful property interests be deprived, the property liquidated, and the funds disbursed, entirely to the benefit of others, wasn't legal or ethical.

280. 11 U.S.C. § 707(4)(C)<sup>42</sup> The signature of an attorney on a petition, pleading, or written motion shall constitute a certification that the attorney has—

- (i) performed a reasonable investigation into the circumstances that gave rise to the petition, pleading, or written motion; and
- (ii) determined that the petition, pleading, or written motion—
  - (I) is well grounded in fact; and
  - (II) is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law and does not constitute an abuse under paragraph (1).

281. The actions between the State and Federal Courts were conducted under the pretense of “legal” actions, under the guise of a “domestic” civil divorce. Except that none of the

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<sup>41</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.565-566

<sup>42</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1894



actions taken were actually “legal”, in accordance with the rules of law.

282. Not state or federal laws, nor either of their constitutions.

283. Nor was any interest or care shown about any real merit involving our marriage or subsequent dissolution of that marriage, through a divorce.

284. In fact, discovery for our divorce was strategically prevented by the Chancery Court, and defendants Binkley, Beeler, and Story, from ever getting started.

285. Once defendants seized possession of the marital residence, they fraudulently terminated all litigation under the guise of “default” judgments, claiming that I chose to relocate to the State of Michigan and had no interest in participating further or defending myself in Chancery Court docket #48419B.

286. That is absurdly false. I’ve fought day and night for four years straight, filing well over a thousand pages of sworn pleadings combined with clear and convincing evidence between the Williamson County Chancery Court<sup>43</sup> and the Tennessee Court of Appeals at Nashville.<sup>44</sup>

287. None of which is remotely reasonable given the 250 +/- pages of sworn testimony<sup>45</sup> which I had filed in the Chancery Court on 8/29/2019, which included an ad hoc divorce answer and counter complaint, as well as an answer/rebuttal of the egregiously false claims in the “Ex Parte Order of Protection”.

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<sup>43</sup> [https://rico.jefffenton.com/evidence/2019-06-04\\_fenton-chancery-court-record-48419b.pdf](https://rico.jefffenton.com/evidence/2019-06-04_fenton-chancery-court-record-48419b.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.641 ~ ECF No. 1-26, PageID.1369)

<sup>44</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1370 ~ ECF No. 1-28, PageID.1664  
Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1665 ~ ECF No. 1-30, PageID.1793

<sup>45</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038

288. Defendant Story further accused me of “Dissipating Marital Assets” while demanding that I be forcefully removed from my home with only a five-day notice over a holiday weekend, while demanding that I be removed by the Sherriff’s Office.

289. Defendant Story insisted that I not even be allowed to take any of my personal property with me, not even my bed.

290. At 49 years old, after literally 25-years of being a hard working tax paying, peaceful Tennessee resident, without so much as a single traffic citation during all that time, they treated me like a hardcore felon while refusing to even tell me why or by rule, law, or legal code they could justify their actions in open court.

291. Defendants Story and Binkley only allowed me to take with me one carload of clothes, toiletries, and my medications. **That’s it.**

292. All under false claims that I was “dissipating marital assets”, which wasn’t even physically possible in any meaningful capacity, because defendant Story’s own complaint for divorce stated on page 2, *“Plaintiff would show that the parties have no assets other than personal property which has been divided with the exception of a few items. Husband and Wife have lived separately since April 2018.”*

**IV.**

Plaintiff would show that the parties have no assets other than personal property which has been divided with the exception of a few items. Husband and Wife have lived separately since April 2018.

**Wife’s Complaint for Divorce, Page 2, Section IV**  
**Case 1:23-cv-01097-PLM-RSK, ECF 1-17, PageID.648**

293. Every attempt by defendant Story to convert Plaintiff’s personal property back into

Initials: 

marital property, without bringing Ms. Fenton's personal property back to the marital residence, was in bad-faith, while the proceeds from the proposed sale clearly stated on the Bankruptcy petition, as follows:

294. *"The liens of Bank of America, NA and BanCorp South shall be satisfied in full and all remaining proceeds after Debtor's homestead exemption and costs of sale shall be paid to the Chapter 13 Trustee for the benefit of the estate."*<sup>46</sup>

295. Absolutely nothing was to benefit me.

296. They all ignored both my critical and essential property interests, my right and means of earning a living (rental income at that time), and my only hope of ever regaining the standard of living which I built by myself prior to the marriage.

297. Let alone the standard of living which we enjoyed throughout our 13-year marriage, or any chance of ever being able to retire.

298. My property was taken and liquidated, while my life was discarded like trash by the defendants.

### **RELENTLESS SEEKING A CURE TO GET FREE**

2019-10-21	Final Decree of Divorce & OP by "Default" (Fraudulent Order of Protection)
2019-10-21	Judge Binkley issued an "Order of Protection" against me from 10/21/2019 – 10/21/2020
2019-10-29	Closing: 1986 Sunnyside Drive, Brentwood, TN 37027
2019-11-20	Tennessee Court of Appeals – Middle Division (Nashville) Divorce Appeal Filed
2019-12-06	Fawn's Bankruptcy Converted from Chapter-13 to Chapter-7 (Case 3:19-bk-02693) Filed on 12/5
2020-02-10	DOJ Disability Rights – No Legal or Financial Assistance
2020-04-15	Debtor Discharged (Disposition: Standard Discharge)
2020-06-15	Tennessee Court of Appeals (Appeal Filed)
2020-07-02	John C McLemore – Chapter 7 Bankruptcy Trustee (Recorded Phone Call)

<sup>46</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-8, PageID.144



- 2020-09-24 Order of Protection 5-Year Extension - NO Hearing, NO Motion, NO Notice
- 2020-11-19 Tennessee Court of Appeals (Appeal Dismissed)
- 2021-01-04 FBI Call Center – Not a Federal Matter
- 2021-01-19 Motion to Escalate to the Tennessee Supreme Court Filed
- 2021-04-07 Tennessee Supreme Court – Application Denied
- 2021-04-09 Tennessee Court of Appeals – Mandate Issued
- 2021-12-02 FBI Special Agent Mark Shafer (agent named on Corrupt Nashville Judge Casey Moreland's criminal complaint)
- 2021-12-16 FBI Special Agent Mark Shafer (Emailed Evidence on Many Dates, through 2023)
- 2022-01-17 Emailed Paul Randolph<sup>47</sup> – Acting United States Trustee for Region 8, over the federal judicial districts of Kentucky and Tennessee (Requested Bankruptcy Fraud Investigation)
- 2022-01-18 Reply Confirmation from Paul Randolph<sup>48</sup> USTP
- 2022-03-10 Megan Seliber – USTP Trial Attorney (Recorded Phone Call)
- 2022-03-15 Megan Seliber<sup>49</sup> – USTP Trial Attorney (Confirmed BK Court Failed to Provide Notice)
- 2023-05-10 Board of Professional Responsibility – Sandy Garrett Chief Disciplinary Counsel Refusing to File Complaint against Story (Again)
- 2023-12-13 Williamson County Sheriff's Office – Complaint #2023-35037, filed with Deputy Brady Cartwright. Spoke to Captain David Beard on 10/15/2023 (615) 790-5554 (Ext. 3227)

**FACTS BASED UPON THE REAL MERITS OF OUR DIVORCE  
(NEVER MENTIONED IN EITHER OF THE CASES OUTLINED HEREIN)**

299. This doesn't really matter – they literally didn't address a single honest merit of our divorce. It was all a fraudulent racketeering conspiracy. But for the sake of establishing what real merits would have looked like...

300. Contrary to traditional roles, Ms. Fenton was voluntarily the primary breadwinner<sup>50</sup> throughout our 13-year marriage.

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<sup>47</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.563

<sup>48</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.564

<sup>49</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.565-566

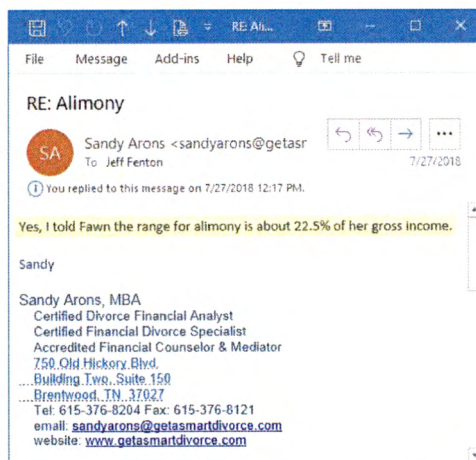
<sup>50</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1444

301. Ms. Fenton is a MIT educated, licensed Tennessee Professional Architect<sup>51</sup> (ID Number: #102945), who is a “LEED Accredited Professional”, certified by the U.S. Green Building Council, as well as a “Certified Document Technologist” by the Construction Specifications Institute. Ms. Fenton also has a decade of leadership experience in the ACE Mentor Program, teaching high school students about careers in Architecture, Construction, and Engineering.

302. Prior to this action, my ex-wife had agreed that she would pay me “transitional alimony” in the amount of \$1,750 per month, for a duration of 6-years.

303. This amount was calculated at 22.5% of my ex-wife’s gross income, for a term equal to half the duration of our marriage, as we were advised was “fair” with all factors included.

304. This came at the advice of Ms. Sandy Arons, MBA (Certified Divorce Financial Analyst, Certified Financial Divorce Practitioner, Certified Financial Divorce Specialist, Financial Counselor and Mediator) whom I hired on July 12<sup>th</sup>, 2018.



<sup>51</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1444

Initials: 

305. In an email<sup>52</sup> to me and Ms. Arons on 8/30/2018, Ms. Fenton stated in part, “**Our office lease is up in March 2020, and Ken (the owner of her business) really wants to retire,** and so there’s no telling what my job will be after that.”

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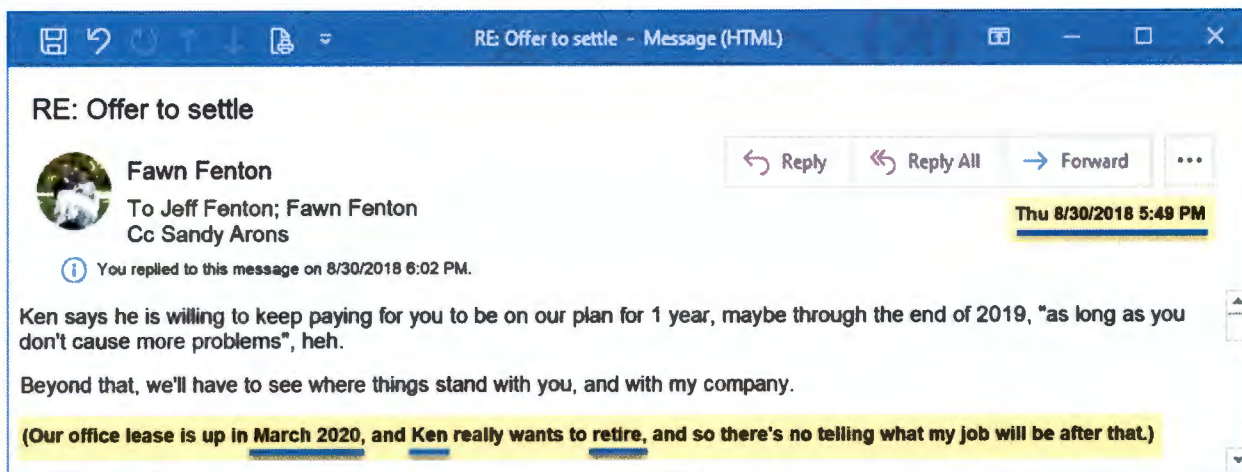
306. The defendants in this case, waited until Ms. Fenton’s boss was about to retire, then they strategically timed the intentional non-payment of our mortgage payments without notice, followed by the fraudulent bankruptcy filing, while they intentionally falsified her bankruptcy petition, by lying about my ownership interests, concealing that I invested my pre-

<sup>52</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1941 ([https://rico.jeffenton.com/evidence/2018-08-30\\_wife-notifies-about-employers-retirement.pdf](https://rico.jeffenton.com/evidence/2018-08-30_wife-notifies-about-employers-retirement.pdf))

Initials:



marital retirement savings into the purchase of our mutually purchased, jointly purchased, equally deeded as “tenancy by the entirety” marital residence, at 1986 Sunnyside Drive, Brentwood, TN 370127.



307. On January 1<sup>st</sup>, 2019 the “Trump Tax Reform”<sup>53</sup> went into effect. As a result, the alimony payments for divorces finalized prior to January 1<sup>st</sup>, 2019 were tax deductible, and were “grandfathered” for the duration of the alimony. Which meant in this case, the difference in Ms. Fenton being able to deduct \$21k per year from her gross income of \$94k+/- per duration of My ex-wife had previously agreed that she would pay me year, for the next six years, or being taxed upon all that money, as her earnings, as if she had personally benefitted from it.

308. If the divorce could not be finalized by the end of 2018, prior to the Trump Tax Reform taking place, Ms. Fenton calculated her income as follows:

<sup>53</sup> [https://rico.jefffenton.com/evidence/2018-12-31\\_divorce-deadline-for-trump-tax-reform.pdf](https://rico.jefffenton.com/evidence/2018-12-31_divorce-deadline-for-trump-tax-reform.pdf)

➤ “90k gross – 31k taxes – 21k alimony = 38k net. Plus or minus.”<sup>54</sup>

309. In the end, this was what caused Ms. Fenton to become a prime candidate for “predatory litigation”. Willing to be exploited while throwing away nearly everything that we owned, in order to evade six years of financial responsibility, needing to earn \$90k plus per year, while taking home less than half that amount.

310. This had a tremendous impact upon Ms. Fenton’s tax bracket and the amount of income taxes which she was required to pay for the next six years. Because of this, Ms. Fenton absolutely demanded that for any “fair” amicable, uncontested divorce action, that the divorce needed to finalize prior to the end of 2018, or else she refused to cooperate.

311. The problem was, because of this, the Williamson County Chancery Court docket was nearly full for the remainder of the year, by the start of October 2018. (The court was busy with people trying to get their divorces finalized by the end of the year.)

312. Ms. Fenton presented the last proposed MDA which she was willing to entertain on 9/14/2018.

313. Although Plaintiff was very interested in this offer and tried to accept it, Ms. Fenton said it was still subject to review by her counsel as well as by another independent attorney, she hired for a document review, recommended by Sandy Arons, who was helping with the “Collaborative Divorce”.

314. The very first paragraph of Ms. Fenton’s offer stated, “*This offer is only good if we*

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<sup>54</sup> [https://rico.jefffenton.com/evidence/2018-12-22\\_projected-gross-taxes-alimony-net.pdf](https://rico.jefffenton.com/evidence/2018-12-22_projected-gross-taxes-alimony-net.pdf)

*successfully sign this into a Marital Dissolution Agreement Contract as soon as possible AND the divorce Final Order is entered by the court before December 31, 2018. The financial tax incentives integral to this offer will not apply in 2019, and this Agreement is void if the divorce is not final in 2018.”*

315. Unfortunately Ms. Fenton’s two attorneys shot-down the offer, before Plaintiff was permitted to accept it.

316. In an email from Ms. Fenton on 9/19/2018 she stated, *“I sent my attorney the draft of our contract to review also, and he just told me he thinks this agreement is totally nuts; it’s too complicated and is not at all in my best interest, and there are a thousand ways this could go wrong in the future, and he says he will not write it or facilitate it. He says if we do successfully write up an agreement for both of us to sign, we will have to do our best to format it with the structure and language that the courts expect to see for an MDA, and then I will have to file it myself, appending it to my file that is already active at the Williamson County courts, and I will have to get the court clerks to help me request a court date for a judge to look at the contract. My attorney also says, that even though we might both have agreed to this contract and both voluntarily signed it, the judge could still think it is too unequal or complicated and strike it down. My attorney says the judges will refuse to finalize a divorce degree if they personally do not like/agree with the MDA.”*

317. On the following day, on 9/20/2018 Ms. Fenton stated in another email, *“Tommy confirmed what my lawyer had said: this agreement is so far out of the ordinary, he thinks that even if we both sign it and agree to it, that the judges will strike it down. Tommy says the main problem is the long timeline, the judges do not want open-ended issues after a divorce. He said that they will either want one person to get the house free and clear from the other, or they will order the sale of the house and tell us to*





*split the proceeds... ”*

318. Many of the divorce negotiations discussed between Plaintiff and his ex-wife included a means by which Plaintiff could keep the marital residence and continue to live in it, since Ms. Fenton had decided that she did not personally want to keep the home.<sup>55</sup> Despite Plaintiff's offer to give Ms. Fenton his equity for free.<sup>56</sup> So that one of them could enjoy the fruits of both their labor, rather than liquidating the home and losing all that they had worked for and invested.

319. Here is an excerpt of an email<sup>57</sup> written to me by my ex-wife on 8/4/2018: *“Hello, I am not theoretically opposed to you keeping the house, but I don't know how financially we could make that happen. Maybe there is a way we can make a deal like, I keep paying the current mortgage payment and 2nd mortgage payment for the next 6 years or so instead of giving you alimony payments. The financing would have to stay as it is in my name until you can rebuild your credit. When you can re-build your credit and have a job and all, then you could re-fi the house into your own name and cash me out my equity. That plan would suck for the credit card debt, though, as I was counting on the house equity (after sale of the house) to pay off both of our credit card debts. What are your thoughts.”*

320. On 8/30/2018 Ms. Fenton emailed me a settlement proposal,<sup>58</sup> which included a budget whereby I could retain the marital residence, but I would need to obtain two roommates, one renting the large (spare) bedroom for **\$800 per month**, and another renting the smaller spare bedroom for **\$600 per month**. Then Ms. Fenton would pay the remainder of the household

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<sup>55</sup> [https://rico.jeffenton.com/evidence/2018-10-09\\_wife-does-not-want-to-keep-marital-residence.pdf](https://rico.jeffenton.com/evidence/2018-10-09_wife-does-not-want-to-keep-marital-residence.pdf)

<sup>56</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, 1472

<sup>57</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-26, PageID.1341

<sup>58</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-26, PageID.1336-1337



expenses, and I only needed to earn another \$248 per month to support myself.

321. This was to provide me with an opportunity to obtain the needed vocational rehabilitation, and to ease back into the workforce, without needing to immediately sink or swim.

322. I showed immediate interest in this offer and tried desperately to accept it, but Ms. Fenton's counsel advised her against it and she ultimately rescinded the opportunity.

323. I'm sorry I'm out of time. I had to copy and past some parts in, which have the language "Plaintiff" rather than speaking in first person. I understand this error, I just don't have time to fix it and to still make it to the court today. Please read the spirit and excuse my negligence.

324. This is a pro se filing, in which "technicalities" are only allowed to matter to the extent that JUSTICE is still the goal of the court.

325. Justice demands that this case be cured, that these criminals be held to account, and the courts they operate in provide new rules or mechanisms of transparency and accountability to protect the judicial integrity throughout the State of Tennessee, as well as protecting the people.

326. Again, I write none of this for any foul purpose. My goal is as it has been since my first day in court, to testify to the raw truth, despite what light that puts myself or anyone else in.

327. **I Jeffrey Ryan Fenton swear under the penalty of perjury, that I have filed 1,000 pages of cold raw truth in the State Courts of Tennessee, without yet being given the benefit (outside court) of one single word. While almost everything else filed in docket #49418B was substantially fraudulent. (Please help me!)**

328. "Pro se pleadings are to be considered without regard to technicality; pro se litigants' pleadings are not to be held to the same high standards of perfection as lawyers." *Jenkins*


*v. McKeithen, 395 U.S. 411, 421 (1959); Picking v. Pennsylvania R. Co., 151 Fed 2nd 240; Pucket v. Cox, 456 2nd 233*

329. "Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants. They should not raise barriers which prevent the achievement of that end. Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment." *Maty v. Grasselli Chemical Co., 303 U.S. 197 (1938)*

### DECLARATION

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct, except as to matters herein stated to be on information and belief, and as to such matters, I certify as aforesaid that I verily believe the same to be true.

Executed on January 19, 2024

  
JEFFREY RYAN FENTON

17195 SILVER PARKWAY, #150  
FENTON, MI, 48430-3426  
JEFF.FENTON@LIVE.COM  
(P) 615.837.1300  
(F) 810.255.4438



UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

**FILED - LN**

January 19, 2024 4:49 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: ilg /        SCANNED BY: ilg / 1/22/24

**JEFFREY RYAN FENTON,**

PLAINTIFF

v.

**VIRGINIA LEE STORY ET AL.,**

DEFENDANTS

**CASE NO. 1:23-cv-1097**

**MOTION FOR 45-DAY EXTENSION TO SERVE PARTIES REGARDING F.R.Civ.P. 4(m),  
MOTION FOR PREPAYMENT OF SERVICE FEES - SERVICE BY U.S. MARSHALS  
MOTION FOR ADA<sup>1</sup> ACCOMMODATIONS, REQUEST FOR CLARIFICATION  
EXPEDITED CONSIDERATION REQUESTED**

F.R.Civ.P. 4(m) allows up to “90 days after the complaint is filed” to serve the complaint. As a result of needing to immediately respond to the “Report and Recommendation” by this court, dated December 13<sup>th</sup>, 2023, combined with the fact that I have been denied electronic service and filing to date, and did not receive notice of that action by the court for nearly two weeks with the holiday congestion, I’m respectfully requesting a 45-day extension on my 90-day due date for service, which I believe expired now 8-days ago.

This would provide me roughly 37-days, by which to both file and serve my first amended complaint.

<sup>1</sup> [https://rico.jefffenton.com/evidence/2020-07-08\\_tnsc-coa-ada-request-for-modification.pdf](https://rico.jefffenton.com/evidence/2020-07-08_tnsc-coa-ada-request-for-modification.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1749-1752)

Initials: 

I am also requesting that the court issue service through the U.S. Marshals service, with a prepayment of services, not a fee waiver, as explained to follow.

In the event that the court is not willing to allow the prepayment of service and have that issued through the U.S. Marshalls Service, then plaintiff requests that he be allowed to serve the lawsuit by certified mail, and that he be permitted to provide the complaint itself in a normal printed document format, but allowing the extensive appendixes in this case to be served either digitally on a DVD, USB, or Web hosted "cloud" type digital download.

This would save thousands of dollars in printing costs (which plaintiff doesn't have), not to mention the cost of expedited shipping such a large bulk of printed paper.

Plaintiff owns websites, is very tech savvy, and can setup a simple and direct link for the defendants to download a zip file containing all the Court's source PDF files, file stamped by the court for easy reference, which Plaintiff has and will download from Pacer. This would provide at least as much value along with far more convenience and functionality than the printed source documents.

Additionally, if the court would allow Plaintiff ECF filing and service access, which again I am respectfully requesting as an ADA Accommodation. With ECF access I could easily file documents as I complete them, without the need to bring in two weeks' worth of filings at one time, out of concern for being heard before my case is prematurely dismissed. The burden of proof which rests upon me, to prove my claims credible beyond the skepticism of the court, simple due to the identity and bulk of defendants in this case, is far more than is typical for any party to need to carry on their own, especially for a person with disabilities such as mine.

Again, it is not my fault who and how many have committed criminal misconduct against me, and I will prove my every claim hopefully to the satisfaction of the court. If at any time I am not able to, then I hope the court will schedule an opportunity to appear before the court in person and be heard. I can explain what I have experienced far more quickly and easily than I can figure out how to draft pleadings and how to provide such an enormous amount of testimony to simply try to claw my way back to ground-zero, where I can be heard equally and impartially, without dismissing my claims as fictitious, malicious, exaggerated, in bad-faith, or unfounded.

I can and hope to prove everything, but that will require time and patience on the part of the court, or sanctioning the attorneys who clearly violated... lots. Which I am glad to prove.

One serious limitation I have is that I can not effectively multi-task substantial meaningful or challenging tasks or pursuits concurrently. This was how they strategically exploited my disabilities in Tennessee and have denied me justice for so long. By completely ignoring the merits of everything therein but hammering me with a need to write things I didn't know how to, or quicker than I could, while refusing to apply anything to my benefit.

For example, when the court served me the "Report and Recommendation", that totally shut down all work on my "Frist Amended Complaint", so that I could focus every waking moment on responding to the "Report and Recommendation" while trying to articulate more of the crimes committed against me, to hopefully provide the court with a motive to help me rather than dismiss my case. I certainly hope so.

I call this one concept regarding how my mind works, "the house is on fire". Whenever I believe that my proverbial house is on fire, there is an attack against my family, some major



consequence if I don't drop everything and defend one front with all that I have, the easiest way for me to describe it, is thinking of a legal attack as a "fire" in my kitchen, which needs to be put out. As long as some part of my house is on fire, nobody will be able to redirect my attention to meet any other demand or deadline. I can't effectively multi-task, so most serious challenges are all or nothing, and if I believe that "my house is on fire" (my life, my family is in danger, etc...), nobody can get me to focus of another task... like say filing taxes, to save their life or mine.

So, I really ask that the court help protect my ability to participate in the court system and litigate my case. While protecting me from needing to defend multiple requests for production or needing to research and learn how to respond to different filings all at once.

Also, because I am so slow, this is all new to me, I have had to learn an insane amount just to be still fighting where I am now today, I ask that I be provided a minimum 30-day notice before anything ever threatens to dismiss my case. 14-days is just enough to panic me, I have to learn how to survive and represent myself in litigation against seasoned members of the court.

As for any concerns that having leniency with me would deny any of them their rights to a speedy trial, I will be glad to meet with the court in person and irrefutably prove they have violated their oaths of office, which now is the cause of this insane litigation for both me and the court. So, to deprive me of a fair chance to defend myself, out of concern for the rights of those who proved they have no care or regard for my rights, is not justice, nor is it fair, of good repute, or honor.

Furthermore, I understand that it will take more patience by the court for me to represent myself by necessity, and that will be a greater burden on whichever court allows me to be heard, so if that requires more leniency than this court has, then I ask that the court have me show cause to

substantiate sanctions against the defendants, and the court force them to hire an attorney for me, greatly alleviating pressure upon both me and the court.

The defendant's have illegally deprived my freedom interest, my liberty interest, my pursuit of happiness, and my ability to even earn a living, entirely by fraudulent "default" judgments after they wrongfully evicted me from my home and knowingly dislocated me from my home of 25-years, to move 600 miles away for emergency replacement shelter, which they clearly knew before the first court order. I was never notified or provide a way to be heard or participate, while they ignored hundreds of pages of sworn testimony on file.

That is not only a violation of profession conduct to take action which renders a litigant unable to participate in litigation which they have been lawfully summonsed to participate in, but that is also a criminal Class D felony in the State of Tennessee. While they did this on only my second hearing, after which they terminated all litigation, and ignored hundreds of pages of my sworn testimony and evidence on file in the Chancery Court on 8/29/2019, the very first day which I was ever "allowed" to file anything *pro se*.

A contested divorce in Williamson County Tennessee I was told takes between 1 year and 1 and a half years on average. I only got two 30-minute hearings, the second of which they provided me just a 5-day notice to a forced eviction without even allowing me to take my bed. Without any criminal charges or good faith cause other than trying to keep my stuff.

That sounds offensive, but they even went to a federal judge to get a federal court order, to literally supersede the State of Tennessee's \$10,000 personal property exemption, which I had

correctly filed, where the State of Tennessee allows residents to exempt \$10,000 worth of their personal property from being taken in any judgment.

I'm not exaggerating<sup>2</sup>, I'm not lying, they have intentionally harmed me far more than can be of financial benefit to literally any party in my case. Like I said, they literally wanted to pull up a dumpster, they had already had it appraised as only worth \$3,000<sup>3</sup>, they just wanted to hurt me and punish me for trying to stick up for my rights and demand they treat me like a human being.

When the truth all comes out, it is so savage and unnecessarily abusive. I mean ugly. Yet that is what they did, and what they continue to do to this day. I have no control over that.

The benefit for the court should I be allowed to file via ECF, is that most of my documents are far easier to navigate as the digital source files, some with electronic tables of contents, bookmarking, cross-linking, optical character recognition for easy file searches. The flat image format used by the court after scanning my paper files, takes away many of the convenience of digital files, especially in regards to navigation, searching, and working with the files.

This would significantly benefit the court, as well as the defendants, while being a benefit to Plaintiff both in the usefulness of the court's files, as well as in providing me with a far more robust means of actively participating in the court system, immediately receiving notice when the court or one of the defendants files something, because from that point on, every minute is critical for me to have any chance at keeping up with my needing to reply and respond quickly, lest my lawsuit be dismissed completely irrelevant of the merits and justice, due to my inability to keep up

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<sup>2</sup> [https://rico.jeffenton.com/evidence/2019-09-16\\_story-letter-demanding-two-grand-for-storage.pdf](https://rico.jeffenton.com/evidence/2019-09-16_story-letter-demanding-two-grand-for-storage.pdf)

<sup>3</sup> [https://rico.jeffenton.com/evidence/2019-09-26\\_story-letter-demanding-thirty-five-hundred.pdf](https://rico.jeffenton.com/evidence/2019-09-26_story-letter-demanding-thirty-five-hundred.pdf)



with filing demands, and timelines. While due to my disabilities, time itself is my greatest challenge in every area of my life.

Responding to the emergency request to dismiss my case, has fully consumed 12-16 hours per day over the past approximately 20 days, preventing me from being able to finish my “First Amended Complaint” which was my plan, to fix the known defects in my complaint, prior to service.

### **PREPAYMENT OF SERVICE FEES**

Plaintiff was only able to pay the filing fee in this court by borrowing the money. He has several disabilities and has been essentially working 24/7 on this case. Due to the wrongful actions of the defendants, Plaintiff has not earned one dollar over the last two tax years, does not have any financial reserve, and cannot afford service of process fees. However, Plaintiff is *not* seeking a waiver of those fees. He is seeking *prepayment* of them, with reimbursement to the court pending a favorable outcome. See, for example, *James v. City of N.Y.*, 15 Civ. 1161 (E.D.N.Y. Mar. 20, 2015) whereby the court prepaid the fees for the plaintiffs “on the condition that should they receive any monetary settlement or award equal to or greater than the \$400.00 filing fee, that fee must be paid to the Court within fifteen days of the receipt of the settlement award.” This way, funds applied in this matter will then be available to another needy *pro se* litigant at some point in the future.

Plaintiff is specifically requesting for the court to execute service of his lawsuit to the defendants in his complaint through the U.S. Marshalls Service.



In hopes of this request being granted, Plaintiff is providing the court with a proposed order to easily execute, along with the summonses needed for service.

There are significant improvements in Plaintiff's "First Amended Complaint", fixing most if not all of the problems with the initial complaint filed. Plaintiff is eager for the court to see the improvements, but since this is the only "amended complaint" which Plaintiff is guaranteed by the court rules, he needs at least a solid week to finish it, for the guaranteed benefit of all involved.

Plaintiff has removed one of the parties from the original complaint, as well as obtained addresses for all parties, which are believed to be correct.

This is being mentioned in case the court approves this motion and executes service before Plaintiff can get his "First Amended Complaint" filed. Plaintiff has prepared summonses and will be providing them to the court on the morning of Tuesday January 2, 2024, when the court reopens.

The information on the summonses is the most updated, correct, and complete information to date, and should control over the original complaint for contacting the parties and issuing service, until Plaintiff is able to file his "First Amended Complaint", where the parties and contact information have been updated and are believed to be correct.

The reason for the expedited consideration is that F.R.Civ.P. 4(m) allows up to "90 days after the complaint is filed" to serve the complaint. If the motion is not allowed, Plaintiff will likely need approximately 7 days to serve the defendants since there are many.

January 19<sup>th</sup>, 2024



**JEFFREY RYAN FENTON, PRO SE**

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FENTON, MI, 48430-3426

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(F) 810.255.4438



AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Tennessee Board of Judicial Conduct
403 Seventh Avenue North
Room 202
Nashville, TN 37243

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1/21/2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Story, Abernathy and Campbell, PLLP
136 4th Avenue South
Franklin, TN 37064

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Virginia Lee Story
111 Jonathan Court
Franklin, TN 37069

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1/2/2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:



AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Kathryn Lynn Yarbrough
408 Preakness Drive
Thompsons Station, TN 37179

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1/2/2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Michael Weimar Binkley
1109 Sneed Glen Drive
Franklin, TN 37069

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Elaine Beaty Beeler
437 Battle Avenue
Franklin, TN 37064

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:



AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Sara Rebecca Baxter
34 Laurel Way NE
White, GA 30184

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Chancery Court for Williamson County Tennessee
135 4th Avenue South #236
Franklin, TN 37064

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) County of Williamson Tennessee
1320 West Main Street
Franklin, TN 37064

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1/2/2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:



AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Rothschild & Ausbrooks, PLLC
1222 16th Avenue South, Suite 12
Nashville, TN 37212

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan

JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Mary Elizabeth Maney Ausbrooks
120 Meadows Road
White House, TN 37188

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**

for the

Western District of Michigan

JEFFREY RYAN FENTON

*Plaintiff(s)*

v.

VIRGINIA LEE STORY et al.,

*Defendant(s)*

Civil Action No. 1:23-cv-1097

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* Alexander Sergey Koval  
281 Paragon Mills Road  
Nashville, TN 37211

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton  
17195 Silver Parkway #150  
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*CLERK OF COURT*

Date: 1 / 2 / 2024

*Signature of Clerk or Deputy Clerk*

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*:

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:



AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Henry Edward Hildebrand III
217 Lauderdale Road
Nashville, TN 37205

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan

JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Charles M. Walker
1925B Warfield Drive
Nashville, TN 37215

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Thomas Earl Eugene Anderson
947 Russell Street
Nashville, TN 37206

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1/2/2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Roy Patrick Marlin
6586 Eudailey-Covington Road
College Grove, TN 37046

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan

JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Samuel Forrest Anderson
4509 Beacon Drive
Nashville, TN 37215

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) BancorpSouth, Inc.
One Mississippi Plaza
201 South Spring Street
Tupelo, MS 38804

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Bank of America Corporation
100 North Tryon Street
Charlotte, NC 28202

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Rubin Lublin TN, PLLC
119 South Main Street, Suite 500
Memphis, TN 38103

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Spragins, Bartnett, & Cobb, PLCNS
312 East Lafayette Street
Jackson, TN 38301

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1/2/2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan

JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Tennessee Court of Appeals Middle Division
401 7th Avenue North
Nashville, TN 37219

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) William Neal McBrayer
9034 Meadowlawn Drive
Brentwood, TN 37027

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1/2/2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Andy Dwane Bennett
1116 Mistletoe Circle
Hermitage, TN 37076

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1/2/2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Frank Goad Clement Jr.
220 Wilsonia Avenue
Nashville, TN 37205

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1/2/2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) James Michael Hivner
8019 Sara Jane Lane
Bartlett, TN 38133

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) John Brandon Coke
4324 Barnes Cove Drive
Nashville, TN 37211

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Tennessee Administrative Office of the Courts
511 Union Street
Suite 600
Nashville, TN 37219

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
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on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

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Other *(specify)*: \_\_\_\_\_

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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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Sandra Jane Leach Garrett
2021 Hunterwood Drive
Brentwood, TN 37027

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

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\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

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designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

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Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Board of Professional Responsibility of the Supreme Court of Tennessee
10 Cadillac Drive
Brentwood, TN 37027

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

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\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Supreme Court of the State of Tennessee
401 7th Avenue North
Nashville, TN 37219

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-1097

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\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

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designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan



JEFFREY RYAN FENTON

Plaintiff(s)

v.

VIRGINIA LEE STORY et al.,

Defendant(s)

Civil Action No. 1:23-cv-1097

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) State of Tennessee
425 5th Avenue North
Nashville, TN 37243

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jeffrey Fenton
17195 Silver Parkway #150
Fenton, MI 48430

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 1 / 2 / 2024

Signature of Clerk or Deputy Clerk



Civil Action No. 1:23-cv-1097

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*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
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I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

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\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

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:

**FILED - LN**

January 19, 2024 4:49 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: jlg / \_ \_ SCANNED BY: *Mr. [unclear]*

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN**

JEFFREY RYAN FENTON,  
Plaintiff

v.

VIRGINIA LEE STORY et al.,  
Defendants

CASE NO. 1:23-cv-1097

**MOTION FOR A PROTECTIVE ORDER**

Plaintiff brings this motion pursuant to F.R.Civ.P. 26(c).

**DEFENDANT HAS ISSUED/EXTENDED  
ORDERS OF PROTECTION AGAINST PLAINTIFF**

Defendant Binkley previously issued an order of protection against Plaintiff—and then later extended it—without Plaintiff ever being given the opportunity to dispute the allegations giving rise to the protective order, in violation of due process and T.C.A. § 36-3-605, which, along with T.C.A. § 36-3-608, was further violated since the extension far exceed one year.<sup>1 2</sup> The protective order was also issued and extended in violation of Tennessee settled law. “A respondent deserves a meaningful due process opportunity to present his or her case.” See *Luker v. Luker*, 578 S.W.3d 450, 2018 WL 4182312, 2018 Tenn. App. LEXIS 508 (Tenn. Ct. App. 2018)<sup>3</sup> Indeed, the relief requested in the complaint filed in this case pertains to said protective orders being vacated and expunged.

Because the protective order was extended against Plaintiff when he filed an appeal in the Tennessee Court of Appeals, upon information and belief, defendant Binkley or other defendants may try

<sup>1</sup> <https://law.justia.com/codes/tennessee/2010/title-36/chapter-3/part-6/36-3-605/>

<sup>2</sup> <https://law.justia.com/codes/tennessee/2010/title-36/chapter-3/part-6/36-3-608/>

<sup>3</sup> [https://www.tncourts.gov/sites/default/files/luker.amy\\_.opn\\_.pdf](https://www.tncourts.gov/sites/default/files/luker.amy_.opn_.pdf)

to issue additional protective or restraining orders against Plaintiff to gain leverage in this matter just as they did in the matters in the Tennessee state courts and to further burden Plaintiff with additional years of not being able to obtain meaningful employment.

In the interest of justice—which involves allowing Plaintiff to collect and study evidence, gather information during discovery, and make his case at trial—it is imperative that the defendants are not allowed to continue to stymie Plaintiff and derail due process. Note that this motion does not include a “certification that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute without court action” because the defendants have not yet been served process and are not even aware of this action, which, again, itself concerns issues of illicit protective orders being issued against Plaintiff.

#### **DEFENDANT HAS EXPLOITED PLAINTIFF’S DISABILITY**

Some defendants were part of a secret bankruptcy filed by a third party that impacted Plaintiff since he had a financial interest (tenancy by the entirety) in his house, which he was forced to auction under direction of other defendants—who did not have authorization or jurisdiction to auction the home—but that what part of the bankruptcy estate. Plaintiff was denied due process because he was never given notice of this proceeding or afforded the opportunity to save his home or other assets. Plaintiff coincidentally discovered the bankruptcy on his own and was simultaneously hit with a divorce proceeding, an *ex parte* order of protection, and the forced auction of his residence.

A plethora of laws and rights were violated by the defendants, but they also exploited Plaintiff’s disability. He has been diagnosed with ADHD (meaning he cannot multi-task, is often repetitive, misses important points, cannot explain his thoughts well in writing, and has extreme difficulty with concise technical and legal writing), OCPD (rendering him extremely slow to accomplish things, such as self-education about the legal system and completing assignments). The defendants know about these disabilities because Plaintiff has fully disclosed them, and they previously targeted and attacked him by

intentionally overwhelming him with multiple actions—all of them perpetrated and perpetuated by fraud and/or constitutional violations—purely for a strategic advantage.

1. DECLARATIONS OF SWORN TESTIMONY WITH SUPPORTING EVIDENCE TO PROVE THE REQUESTS HEREIN OR MADE IN GOOD FAITH & IN THE INTEREST OF JUSTICE

2. “DECLARATION OF IRREFUTABLE PROOF OF A CRIMINAL CONSPIRACY SPANNING STATE AND FEDERAL COURTS” (filed 1/19/24).

3. “DECLARATION ABOUT PHONE CALL WITH TRUSTEE JOHN MCLEMORE” (filed 1/19/24).

4. “DECLARATION OF MARSHA ANN FENTON REGARDING SON JEFFREY RYAN FENTON AND TENNESSEE LEGAL PROCEEDINGS” (filed 1/19/2024).

5. “MEMORANDUM OF LAW REGARDING COURT ACTIONS IN TENNESSEE” (filed 1/19/24).

6. Testimony in Evidence Booklet: ““ORDER OF PROTECTION” AS AN ILLEGAL “PRIOR RESTRAINT”” Appendix-15 Rev. 1/16/24” (filed 1/19/2024).

I Jeffrey Ryan Fenton swear under the penalty of perjury that due to the extreme nature of the fraud committed against me, I honestly do not know how to communicate the depth and breadth of the damages by the member of the Tennessee Courts, in a believable matter, while not sounding offensive.

Since the parties in my case who have lied and committed fraud on the court, include not just my opposing counsel, but the judge and the clerks therein, I don’t know how to bolster my credibility to simply have my testimony heard even semi-equally while having anyone entertain a word of it being true. Not due to what is true or false, but simply based upon the power of the people testifying. Despite truth being my #1 value in life, and one of the primary reasons that I cannot move forward in life with these lies against my person, my rights, and my name.

For that reason, I have designed many booklets which I refer to as my “testimony in evidence”, which are filed in this case. In those I try to use graphic arts in an attempt to compensate for my communication disabilities, hoping to bridge the gap in what I honestly don’t know how to clearly articulate in a manner which is not offensive, which has a chance at being believed. Without sounding “disrespectful” or “disparaging” of the court, thereby losing all value in my testimony.

I long ago learned that my word meant nothing to the courts (considering who I am up against), so I needed to try to testify in line to the absurd fraud line by line, throughout every action to date, to whatever extent I can. That has been the primary purpose of the graphics and art in my court filings.



I have a vocational background in commercial printing and graphic arts, so I have tried to use my skills to SHOW what I am still unable to say in a way which will win the support I clearly need to ever have a chance to litigate this case.

Again, this is not to be offensive in any way, it is in my desperate attempt to show the court the truth. I'm trying to prove my case with clear and convincing evidence, in line with the fraud against me and in line with my testimony.

I'm sorry they didn't treat me like a person. I'm sorry they didn't honor their oaths of office. I'm sorry they acted so disrespectful of both the courts, the rule of law, my life, and my liberty. Unfortunately, I have no control over any of that. I am literally doing everything within my power to try to seek a cure by which I can survive a life of dignity and respect, as I have always lived.

I wish so much more than you, that I never needed to pursue this path.

Due to the depth and breadth of the fraud against me, and the absurd number of powerful members of the court which I have been forced to try to defend myself against, I cannot swear that every word I have written in these booklets is 100% fact, under the penalty of perjury, because there has been a learning curve, and though I have discovered and learned an obscene amount, I have not been right in every instance.

I will swear under the penalty of perjury that none of the markup in my booklets is for any improper purpose, even if the court is unable to understand a good faith purpose at this point. It is not my fault that I need to correct and defend against so much. A significant portion of which the court needs not take my word for, but I have provided irrefutable evidence of the foul play and criminal misconduct of the preceding courts, while trying to keep such evidence nearby my testimony, in an attempt to ease the connection.

I will also swear under the penalty of perjury, that roughly 90%+ of my graphics, art, typed narrative throughout booklets of my "testimony in evidence" filed in this court record, is factually correct. I swear under the penalty of perjury that there is no other more factual expression of truth throughout either of the preceding court cases, in everything filed by the defendant in both state and federal cases.

I further swear under the penalty of perjury, that my typed comments, markup, and graphics throughout my filings in this court, can be taken as my sworn testimony, provided I granted up to a 10% error margin. Meaning it is the most accurate, clear, concise, and in fact true testimony by any party in both of the preceding case dockets.

I pray this court can and will finally hear me and provide me with even handed justice and lawful protection from further abuse by the defendants in this case.

They will outperform me on every technical front, but they are gaming the court while using the courts for criminal deprivation, which despite any technical abilities to play the game, is worthy of no honor, respect, or advantage over a party merely trying to survive and get back what has been stolen from him.

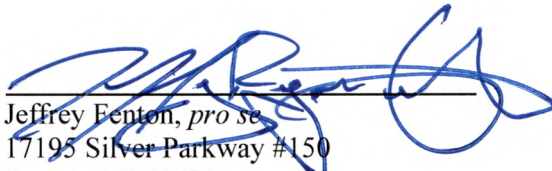
They will cite a few rules they can try to cripple my case with, while ignoring the bulk of the court rules which say that all pleadings must seek justice, to act honestly, fairly, in good faith, while honoring both their oaths and their offices.

### CONCLUSION

Plaintiff asks this court to enjoin defendants from issuing protective or restraining orders against him until this matter is fully litigated, including at the appellate level, if necessary. Plaintiff further requests this court to stay and/or vacate any such existing orders against Plaintiff to the extent that they would prevent him from litigating this matter. The existing protective order along with Plaintiff's sworn testimony are included in his "ORDER OF PROTECTION" AS AN ILLEGAL "PRIOR RESTRAINT" Appendix-15 Rev. 1/16/24" (filed 1/19/2024).

Finally, because of his mental disabilities, Plaintiff request this court to enjoin defendants from filing frivolous matters against him and to restrict their litigious activities to the instant matter until its conclusion, notwithstanding the typical aspects of any civil proceeding: filing an answer, a reply, motions, and other pleadings and papers strictly related to this action.

January 19, 2024



Jeffrey Fenton, *pro se*  
17195 Silver Parkway #150  
Fenton, MI 48430  
810-428-6500  
[jeff.fenton@live.com](mailto:jeff.fenton@live.com)

**1**



**"ORDER OF PROTECTION" AS AN ILLEGAL "PRIOR RESTRAINT"**

**U.S. BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE**

**WILLIAMSON COUNTY CHANCERY COURT AT FRANKLIN, TENNESSEE**

**BK: #3:19-BK-02693 | TN: #M2019-02059-COA-R3-CV | WILCO: #48419B**

**APPENDIX-15**

Rev. 1/16/24

**THE FRAUDULENT DEFAULT 6-YEAR "ORDER OF PROTECTION" to violently  
BIND, RESTRAIN, and SILENCE me, while they carelessly TOOK everything, which I  
loved most in my life** 1

2020-09-24 RETALIATION: "ORDER OF PROTECTION" 5-YEAR EXTENTION (out of  
jurisdiction, without motion, notice, or hearing) 1

My Raccoon Buddy: Kind Communications with my ex-wife, just 3-DAYS before their Secret  
Bankruptcy SCAM; Orchestrated by Story/Binkley/Ausbrooks/Etc... 7

Ex-wife's UNSIGNED Personal Statement about her "fear for (her) safety", included with her "  
Petition for an Order of Protection" at R.v1(pages 15-16) 8

Federal Rules of Civil Procedure - RULE 11 (Personal Statements with NO SIGNATURE are  
TRASH!) 10

EMERGENCY: I CAN NOT WORK FROM HOME WITH FRAUDULENT "ORDER OF  
PROTECTION" (Can't work outside the home because of my mother's immunity disorder!) 12

A 30-Page Letter I wrote to my ex-wife on 2/9/2005, before we even got married. Proving I've  
always been "long-winded", she knew that before marriage, and there certainly is no "Crime"  
or "Abuse" in exercising my 1st Amendment Right (even if I exercise it more than most) 13

PLEASE STRIKE & EXPUNGE THE "DEFAULT ORDER OF PROTECTION" & 5-Year  
Extension thereafter, without notice. This is no more than an illegal "Prior Restraint", which  
Judge Binkley is becoming famous for, due to his fear of public exposure of his misconduct,  
including the criminal activities of he and his friends 15

CONSTITUTION ANNOTATED: Amdt5.4.4.2.1 Deprivations of Liberty 16

**My Ex-wife is a Highly-Trained FIREARMS EXPERT! She is a Tennessee and NRA  
Licensed Handgun Instructor, with daily carry of a Glock .40 Caliber handgun and Pepper  
Spray. She is also certified by the NRA to teach their "Refuse to be a Victim" program,  
emphasizing situational awareness, basic self-defense, and the defensive deployment of  
Pepper Spray. She has trained with both the Mt. Juliet and the Davidson County Police  
Departments. She has an extensive arsenal, with two fully-loaded military grade assault  
rifles, an FN FAL & an AR-15, both with extensive desert training as a "Family First"**



**Lifetime Member, at Frontsight Firearms Training Institute, in Pahrump, Nevada. She owns approximately a half-dozen handguns, and last I knew, had about** 17

Ex-wife's "Self-Defense Handgun Instructor" Resume (Training superior to that received by most Law Enforcement Officers) 18

Ex-wife's AR-15 with Combat Harness, Collapsible Stock, and High-End VCOG Optic 20

Ex-wife graduated from the Davidson Co. Citizen's Police Academy (Photo with Major Dean) 21

Ex-wife's FN-FAL 7.62 x 51mm NATO, Assault Rifle, Modified. Her same high-end VCOG Optic mounts on both of her Rifles. (This is a BIG GUN) 22

Ex-wife's AMMO Inventory (over 5,000 rounds) 23

Ex-wife's ammo cans, when she moved-out of our Marital Residence (5,000 Rounds Inventoried) 25

Front-Sight Firearms Institute in Pahrump Nevada (Where Ex-wife and her brother have Legacy "First Family" Lifetime Memberships) 26

Ex-wife Training with her FN-FAL Assault Rifle at Front Sight Firearms Institute 27

Ex-wife Training with her AR-15 Assault Rifle at Front Sight Firearms Institute (Iron Sights before we purchased the VCOG Scope for her.) 28

Ex-wife and her brother "Mark" (a Marine Veteran who introduced her to shooting, after her first divorce), at Front Sight Firearms Institute in Nevada 29

Ex-wife taking a "Defensive Handgun" class, with her .40 Caliber Glock, at Front Sight Firearms Institute in Nevada 30

Ex-wife's State Certified HANDGUN INSTRUCTOR Instructor Certificate (Tennessee) 31

Ex-wife working at Front Sight Firearms Training Institute as a "Line Coach" for their "Defensive Handgun" program. Shown with her brother (Mark), and their Father (Eddie). Shooting is a family affair! 32

Ex-wife's Glock Model 23, .40 Caliber Pistol (her daily carry handgun) 33

Ex-wife's NRA Certified "Pistol Instructor" Credentials 34

Ex-wife's Glock Model 17, 9mm Training Pistol (she uses when training new shooters) 35

Ex-wife's National Rifle Association - Life Membership Certificate 36

Ex-wife's Ruger SP101 .357/.38 Caliber Stainless Steel Revolver 37

2018-04-22 Ex-wife Abandoned our Marital Residence with a completely unnecessary 4-



Deputy Escort. Her first attempt to falsely justify an "Order of Protection" (for purely a strategic advantage in court) with her first Attorney, W. Edward Porter IV. Fortunately Mr. Porter refused, saying it was unethical since we had no history, priors, domestics, nor physical threats of any sort. This was over a year before Attorney Story & Judge Binkley got involved. 38

Ex-wife's "Dog-Walking-Gun", a North America Arms .22 Magnum Minature Revolver (small enough to wear as a necklace, put in a wallet, or carry in your pocket without detection 39

**WIFE DESIGNED CUSTOM No Trespassing Signs - Using CAD and Microstation at her Work 40**

Invoice for Custom No Trespassing Signs (The Sign Center) 40

PROOF: Custom No Trespassing Sign 41

INSTALLED: Custom No Trespassing Signs at Sunnyside 42

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    2017-08-02 Wife Emails Sign Legal Citations 45

2017-08-02 Wife Emails FINAL Sign Template 47

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2017-07-31 Wife Emails CAD Master Files 49

    2017-08-02 Wife Designed 36.5" x 18.5" Sign Template 50

2017-07-28 Wife: Wee.... AutoCAD Finally Came Up! (Wife sends CAD and Microstation Masters to Keep) 51

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2017-07-26 Wife Corresponded with Zach Geiser the Mid-Atlantic A&E Business Development Manager at Hikvision (Researching Our Surveillance Cameras) 53

TN Supreme majority: Police can ignore 'notrespassing' signs (Humphrey on the Hill) 56

STATE OF TENNESSEE V. JAMES ROBERT CHRISTENSEN, JR. (Sharon G. Lee) 58

**2020-09-11 COA: Motion for Extention and Counsel (Informed Court about Foul-Play by Binkley & Story during 8/29/2019 Hearing - Asked Court to Compare 8/1 & 8/29 Transcripts, while Fact Checking Claims of LAW, and Consistency with the Record (COA: No Response about Foul-Play) 66**

    2020-09-15 COA ORDER: Denied Counsel (30-Day Extention Granted) 69

**The "ORDER of PROTECTION" was purely a TOOL to help BIND, SILENCE, and**



**DISCARD me** ..... 70

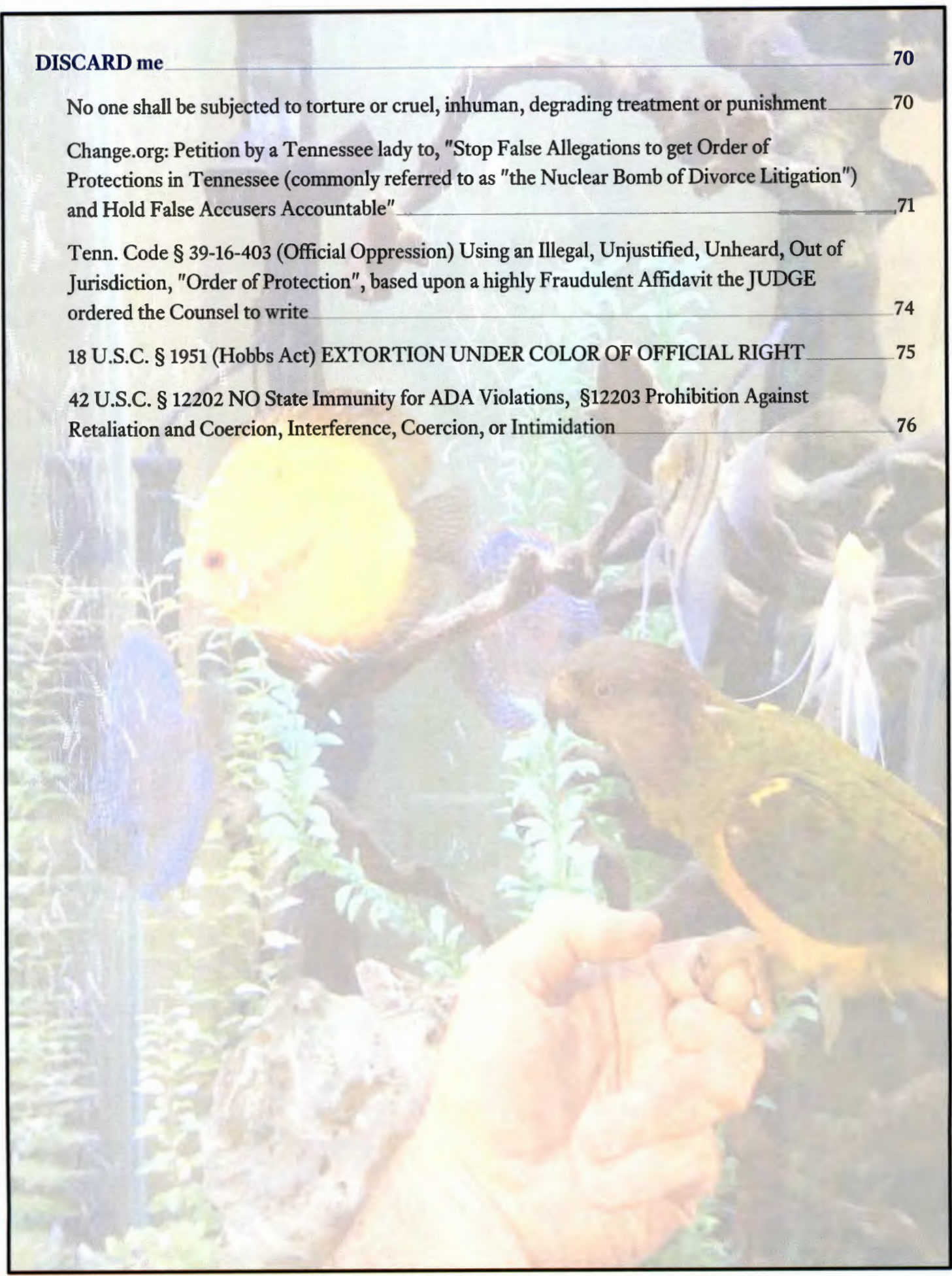
No one shall be subjected to torture or cruel, inhuman, degrading treatment or punishment ..... 70

Change.org: Petition by a Tennessee lady to, "Stop False Allegations to get Order of Protections in Tennessee (commonly referred to as "the Nuclear Bomb of Divorce Litigation") and Hold False Accusers Accountable" ..... 71

Tenn. Code § 39-16-403 (Official Oppression) Using an Illegal, Unjustified, Unheard, Out of Jurisdiction, "Order of Protection", based upon a highly Fraudulent Affidavit the JUDGE ordered the Counsel to write ..... 74

18 U.S.C. § 1951 (Hobbs Act) EXTORTION UNDER COLOR OF OFFICIAL RIGHT ..... 75

42 U.S.C. § 12202 NO State Immunity for ADA Violations, §12203 Prohibition Against Retaliation and Coercion, Interference, Coercion, or Intimidation ..... 76



**PRIOR-RESTRAINT WITHOUT MOTION, NOTICE OR HEARING**

**Order of Protection**

**Amended Order**

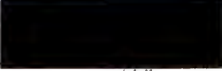
Petitioner is under 18

Case # (the clerk fills this in):  
484193

2020 SEP 24 AM 10:09  
 FILED FOR ENTRY

In the Chancery Court of Williamson County, TN 9-24-20

Petitioner (person needing protection)


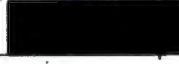
Fawn  Fenton  
 first middle last

**Petitioner's Children under 18 Protected by this Order:**

- |                                       |                                       |
|---------------------------------------|---------------------------------------|
| Name, Age, Relationship to Respondent | Name, Age, Relationship to Respondent |
| 1. _____                              | 3. _____                              |
| 2. _____                              | 4. _____                              |


**Respondent's Information (person you want to be protected from):**

Jeffrey Dylan Fenton 10/5/69  
 first middle last date of birth (MM/DD/YYYY)

 Mi   
 street address city state zip

Respondent's Employer: NONE  
 Employer's name Employer's phone #

**Describe Respondent:**

Sex	Race	Hair	Eyes	Height - Weight - SSN - Other	
<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	<input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> Black <input type="checkbox"/> Grey <input type="checkbox"/> Blond <input type="checkbox"/> Bald <input type="checkbox"/> Brown <input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> Brown <input type="checkbox"/> Hazel <input type="checkbox"/> Blue <input type="checkbox"/> Green <input type="checkbox"/> Grey <input type="checkbox"/> Other: _____	Height	Weight
				<u>5.9</u>	<u>240</u>
				Social Sec. # (If known)	(Provided to Clerk's office if known) Do not list it here. XXXXX
				Scars/Special Features	
				Phone Number	

**Petitioner's relationship to the Respondent (Check all that apply):**

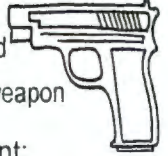
- |   |  |
|---|--|
| <input checked="" type="checkbox"/> We are married or used to be married.                                       | <input type="checkbox"/> We live together or used to live together.    |
| <input type="checkbox"/> We have a child together.  | <input type="checkbox"/> We are dating, used to date, or have had sex. |
| <input type="checkbox"/> We are relatives, related by adoption, or are/were in-laws. (Specify): _____           |  |
| <input type="checkbox"/> We are the children of a person whose relationship is described above (Specify): _____ |  |
| <input checked="" type="checkbox"/> The Respondent has stalked me.  | <input type="checkbox"/> The Respondent has sexually assaulted me.     |
| <input type="checkbox"/> Other: _____   |  |

This is a Court Order.



**Findings About Abuse:**

**Warning!**



- Weapon involved
- Has or owns a weapon

1. The Court has jurisdiction over the parties and this case. The Respondent was given reasonable notice of the hearing and an opportunity to be heard.

2. Based on the information in the *Petition*, and the hearing held, the court finds that the Respondent:

- Did the things listed in the Petition and the court adopts these as facts and incorporates them by reference, AND/OR
- Did the following things:

AND there is credible evidence that Respondent is a threat to the safety of the Petitioner and  Petitioner's Minor Children.

3. Respondent has specifically: (check all that apply):

Abused/Threatened to Abuse

Sexually Assaulted

Stalked

the  Petitioner AND

**FALSE: I NEVER ABUSED OR STALKED MY EX-WIFE! THIS IS ADA RETALIATION & INTERFERENCE WITH Hobb's ACT EXTORTION OF MY SILENCE ABOUT THE MISCONDUCT AND CRIMES COMMITTED BY THE COURT & COUNSEL!**

**Findings about the minor children of the parties:** (check one):

- The Court has jurisdiction over custody for the child(ren) of the parties because his/her/their home state is Tennessee.
- The Court has temporary emergency jurisdiction over custody for the children of the parties listed above because they are in Tennessee now, and they (or the Petitioner) were at risk. (If another state has jurisdiction over child custody under UCCJEA, this Court's temporary jurisdiction will end on \_\_\_\_\_ or when the other state's Court makes an order.)

**Findings About Firearms:**

**The Respondent** (check all that apply):

Has no firearms

Has firearms that he/she must give to someone else who is allowed to have them (TCA § 36-3-625).

Has firearms that are registered under the National Firearms Act and must be either transferred to a responsible third party, or locked in a safe or other secure container to which the Respondent does not have access. A state or federal agency must give its approval before the firearms are turned in.

Has a federal firearms license (FFL) or is a responsible party under an FFL, and has firearms under that FFL that qualify as business inventory, and (check one):

There is no responsible party listed on the FFL other than the Respondent in this case. The Respondent must turn in or transfer all firearms inventory under his/her control to a separate FFL holder who is legally allowed to have firearms.

There is another responsible party listed on the FFL other than the Respondent in this case. This Order does not require the Respondent to turn in or transfer the firearms inventory.

**This is a Court Order.**

**PERSPECTIVE:** FOR THOSE UNFAMILIAR WITH THIS CASE, THIS WAS A "DIVORCE" WITH NO CHILDREN. JUDGE MICHAEL W. BINKLEY AND HIS UNDISCLOSED "CLOSE FAMILY FRIEND", ATTORNEY VIRGINIA LEE STORY, ONLY SPENT TWO 30-MINUTE "HEARINGS" TO FORCEFULLY STEAL MY BRENTWOOD HOME (WORTH \$900K CURRENTLY, WITH MORTGAGES OF ONLY \$300K), WITHOUT A PENNY TO MYSELF OR MY EX-WIFE. WHILE THERE WERE NO ARRESTS, NO ASSAULTS, NO DOMESTICS, NO PHYSICAL THREATS, NO STALKING, NO SUPPORTING HISTORY, NO REASONABLE THREAT OF DANGER OF ANY SORT, WHILE THE OPPOSING PARTY IS THE ONE WHO COMMITTED MULTIPLE GROSS FELONIES AGAINST ME, WITH THE CRIMINAL GUIDANCE AND ASSISTANCE OF AT LEAST TWO JUDGES, AND A HALF-DOZEN ATTORNEYS, WITH AT LEAST AS MANY COMPROMISED AND CORRUPT POWERFUL MEMBERS OF THE COURT WHO HAVE HELPED TO COVER-THIS-UP, AND DENY ME ANY ASSISTANCE SINCE. KNOWING THAT I CAN'T EVEN WORK TO SUPPORT MYSELF TO SIMPLY TRY TO SURVIVE, IN THE CONDITION WHICH THE STATE OF TENNESSEE LITERALLY DISCARDED ME IN!

**The Court orders Respondent to:**

- Obey all orders on this form.
- Not abuse or threaten to abuse Petitioner or Petitioner's minor children.
- Not stalk or threaten to stalk Petitioner or Petitioner's minor children.

**Other Orders to the Respondent (Check all that apply):**

**No Contact**

You must not come about the Petitioner (including coming by or to a shared residence) for any purpose and must not contact  Petitioner AND  Petitioner's children, either directly or indirectly, by phone, email, messages, text messages, mail or any other type of communication or contact.

**Stay Away**

You must stay away from the  Petitioner's home  Petitioner's workplace  Children's home and workplace.

**Personal Conduct –**

You must not cause intentional damage to the Petitioner's (or Petitioner's children's) property or interfere with the utilities at their home(s).

You must not hurt or threaten to hurt any animals owned or kept by the Petitioner/Petitioner's children.

**Counseling/Substance Abuse Programs**

You must go to the following program(s) and give the court proof that you have gone, participated and have made progress in this program (contact information): \_\_\_\_\_

My ex-wife wanted this fraudulent "Order of Protection" to help her gain possession of our HOME, and to have me forcefully REMOVED from it, so that she could LIQUIDATE it and DISBURSE the funds without a single penny to ME.

That was the PERFECT CRIME that Attorney Virginia Lee Story orchestrated and led her through, and my ex-wife got away with it. I completely forgave my ex-wife four-years ago, because I know what a desperate and vulnerable place she was in emotionally and physically, at that time. Rather than providing an ethical guiding hand to my ex-wife, through one of the toughest seasons of her life, Attorney Virginia Lee Story and a several of her "friends" instead exploited my ex-wife's desperation and vulnerability to steal the sum wealth of BOTH of our lives.

This "Order of Protection" isn't to protect my Ex-wife as it states (it endangers my ex-wife with potential Federal criminal charges, because of my need to constantly seek Federal assistance to get FREE.) This fraudulent "Order of Protection" is SOLELY to protect Judge Michael W. Binkley & Attorney Virginia Lee Story from being EXPOSED IN THE MEDIA for their crimes against me and my family!

This is a Court Order.



Child Support \$ \_\_\_\_/ each \_\_\_\_\_ (month/week, etc) beginning \_\_\_\_\_ (date).

- This is the guideline amount. See the attached DHS *Child Support Worksheet*.
- This is not the guideline amount and is a deviation from the guideline amount. The Court has considered the best interest of each child in this case, and finds that guideline support would be unjust or inappropriate in this case.
- Other: \_\_\_\_\_

**Payment method:**

- Pay the Petitioner directly by the \_\_\_\_\_ day of each month. (the court finds that this does not endanger the Petitioner or the Petitioner's minor children and it is not a violation to send payment only with no notes or comments to the Petitioner)
- Take payment to this Court Clerk's Office. You will also have to pay a clerk fee of \_\_\_\_\_% on

Since "they" KNOW that in the past, I have very successfully exposed professional negligence and fraud against our family on the Internet, they also know that EXPOSING the TRUTH on the Internet is the ONLY "threat" that I am to anybody! But that specific threat happens to be their greatest fear!

By labeling my Ex-wife a "victim" of domestic abuse (which is untried, unheard, and false), by Fraudulent "DEFAULT" Judgments, there are strict laws protecting "victims" from having their court documents published online. (These same documents could easily expose this entire RICO scam!)

On 3/21/2021 the KnoxNews ran a story with a video clip of Judge Michael W. Binkley chastising and threatening attorneys, the press, and the people, stating, "What people are doing to judges, making up stuff, putting it in the media when it's totally false..." Further stating, "If your client is part of that kind of stuff, turn them in. Don't be part of the problem... don't be a chicken, because that's all it is... you're part of the problem if you don't do something about it." Indicating that there would be pre-emptive consequences for those who might speak-up.

That is EXACTLY what this outrageous, out of jurisdiction, bad-faith, untried, unheard, "DEFAULT" Order of Protection is, without MOTION or NOTICE where I could even ATTEMPT to DEFEND myself. While this was allegedly for LONG but NON-THREATENING emails and text messages, which Attorney Story decided that my Ex-wife is no longer CONSENSUAL to receiving, the day after I learned about the AMBUSH the Chancery and Bankruptcy Courts had conspired together against me.

Judge Michael W. Binkley and Attorney Virginia Lee Story are literally using my Ex-wife as a HUMAN SHIELD, to protect THEMSELVES from being exposed for an absurd amount of Attorney and Judicial Misconduct, including their roles in Bankruptcy Fraud, Deprivation of Rights and Property under Color of Law, Hobb's Act Extortion, ADA Coercion, Retaliation, Interference, Official Oppression, Etc!

All which I reported to the Court of Appeals as I cried-out for HELP, but instead they helped Binkley and Story to COVER-IT-UP, and denied me any assistance! This has unfortunately been the position of EVERY SINGLE DIVISION of the Tennessee Courts and Supervisory Boards, to date.

**Orders to the Respondent about Firearms:**

- You must not have, or attempt to have, receive or attempt to receive or in any other way get any firearm while this or any later protective order is in effect.

This is a Court Order.

07/01/19  
Form #OP2018-7

Order of Protection

page 4 OF 6



- You must transfer all firearms in your possession within 48 hours to any person who is legally allowed to have them.
- You must fill out and file a *Firearms Declaration* within 1 business day of transferring your firearms. You may take more than 1 business day to file this form **only** if the Court gave you a later deadline. (You can get the *Firearms Declaration* form from the Court Clerk's Office or at [www.tncourts.gov](http://www.tncourts.gov).)
- If a state or federal agency approves it, your weapons that are registered under the National Firearms Act must be either transferred to a responsible third party, or placed in a locked safe or other secure container to which you do not have access.
- If your *Firearms Declaration* shows that you have a federal firearms license (FFL), and that you are the **only** responsible party listed on that FFL, you must transfer all firearms inventory under your control to a separate FFL holder or another responsible party.

**Costs, fees and litigation taxes**

**THIS FRAUDULENT "ORDER OF PROTECTION" IS THE ONLY WAY WHICH A CORRUPT JUDGE COULD KEEP A NOOSE AROUND MY NECK FROM 600-MILES AWAY, WITHOUT DUE PROCESS! THREATENING MY LIFE, MY SAFETY, AND MY FREEDOM FOR AN OUTRAGEOUS SIX-YEARS. WHERE I CAN BE ARRESTED WITHOUT WARRANT OR NOTICE 24/7/365, ANYWHERE WITHIN THE UNITED STATES OF AMERICA. REQUIRING LESS FOUL-PLAY THAN I HAVE ALREADY EXPERIENCED BY JUDGE MICHAEL W. BINKLEY AND ATTORNEY STORY. ALL WITHOUT HEARING, MOTION, OR NOTICE! ABSURD, INHUMANE, ADA INTERFERENCE AND UNCONSTITUTIONAL RETALIATION & EXTORTION!**

**THIS IS THE EQUIVALENT OF JUDGE MICHAEL W. BINKLEY HOLDING A GUN UP TO MY HEAD, AND WHISPERING INTO MY EAR, "GO AHEAD, TELL ON ME!" I DEMAND A FULL CRIMINAL INVESTIGATION!**

**THIS ORDER TAKES EFFECT IMMEDIATELY UPON SIGNING.**

This Order starts today, (date): 9-24-20. This Order ends (date): 9-24-2025

In 1 year. (The Petitioner may ask to extend the Order)  In 5 years (1<sup>st</sup> violation of current PO)  
 In 10 years (2<sup>nd</sup> or more violation of current PO)

Date: 9/24/20 Time: 10:08  a.m.  p.m. [Signature]  
 Signature of Judge or Chancellor

Certificate of Service – Respondent (check one):	Certificate of Service – Petitioner (check one):
<input type="checkbox"/> Signed by Respondent: _____	<input type="checkbox"/> Signed by Petitioner: _____
<input type="checkbox"/> Signed by Respondent's counsel: _____	<input type="checkbox"/> Signed by Petitioner's counsel: _____
<input type="checkbox"/> Hand delivered to Respondent.	<input checked="" type="checkbox"/> Hand delivered to Petitioner.
<input type="checkbox"/> Hand delivered to Respondent's counsel.	<input type="checkbox"/> Hand delivered to Petitioner's counsel.
<input checked="" type="checkbox"/> U.S. mail, prepaid postage to Respondent's last known address	<input type="checkbox"/> U.S. mail, prepaid postage to Petitioner's last known address.
<input type="checkbox"/> U.S. mail, prepaid postage to Respondent's counsel's last known address	<input type="checkbox"/> U.S. mail, prepaid postage to Petitioner's counsel's last known address.
<input type="checkbox"/> Reasonable attempts to find the Respondent's address were made, but there is no known address at this time.	<input type="checkbox"/> Reasonable attempts to find the Petitioner's address were made, but there is no known address at this time.
Signature of Server: <u>Debra Stevens</u>	Signature of Server: <u>Debra Stevens</u>
Server's title (check one): <input type="checkbox"/> Clerk <input checked="" type="checkbox"/> Deputy Clerk <u>9-24-20</u>	Server's title (check one): <input type="checkbox"/> Clerk <input checked="" type="checkbox"/> Deputy Clerk
<input type="checkbox"/> Authorized Officer <input type="checkbox"/> Attorney	<input type="checkbox"/> Authorized Officer <input type="checkbox"/> Attorney
Service was made on: Date: _____ Time: _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	Service was made on: Date: <u>9-24-20</u> Time: <u>10:08</u> <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m.

The Clerk certifies a copy of this Order was forwarded to 911, local law enforcement, and any court in which the respondent and petitioner are parties to an action.

**This is a Court Order.**



## Warnings to Respondent:

### This Order is valid everywhere in the U.S.

If you travel to another state, territory or tribal land, with the intention of disobeying this Order, you can be charged with a federal crime. The courts of any U.S. state, the District of Columbia, all tribal lands, and U.S. territories, must enforce this Order, even if the Order is not registered. (18 U.S.C. §§ 2262, 2265)

### No Guns, Firearms

You must not have any firearm while this Order is in effect. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any firearm or ammunition.

You must legally transfer, sell, or turn in any firearm that you have within 48 hours. Transfers are only legal if the person you transfer to is allowed to have firearms. You may get your firearms back when the Order of protection ends.

### You will face separate charges if you disobey this Order

You may face separate, criminal contempt charges and/or civil penalties if:

- You disobey this Order on purpose (TCA § 36-3-610).  
The penalty for each violation is **up to 10 days in jail and a \$10 or \$50 fine** (TCA § 29-9-103).
- You may also have to pay a civil penalty of up to \$50 for each violation (TCA § 36-3-610).

You may face separate, Class A misdemeanor charges if:

- You violate this Order (Public Chapter No. 422, effective July 1, 2019).  
A violation is punishable by **up to 11 months and 29 days in jail and a fine of not less than \$100 nor more than \$2500 for each violation.**
- You do not transfer your firearm(s) legally by the deadline (TCA § 36-3-625).
- You have a firearm while the Order is in effect (TCA § 39-13-113(h)(1)).  
The penalty for each violation is **up to 11 months and 29 days in jail and a fine of up to \$2,500** (TCA § 40-35-111(e)(1)). There may be other charges if domestic violence is involved.
- You do not transfer, sell, or turn in any firearm. You may face Class A misdemeanor charges and you may also be charged with a federal crime. (TCA §§ 39-13-113(h)(1), 39-17-1307; 18 U.S.C. § 922(g)(8)).

You may face separate, Class C felony charges if:

- You hurt or try to hurt anyone while this Order, probation, or diversion is in effect; you may face charges for aggravated assault (TCA §§ 36-3-610, 39-13-102(c)).  
The penalty for each violation is **not less than 3 years nor more than 15 years and a fine of up to \$10,000** (TCA § 40-35-111(b)(3)).

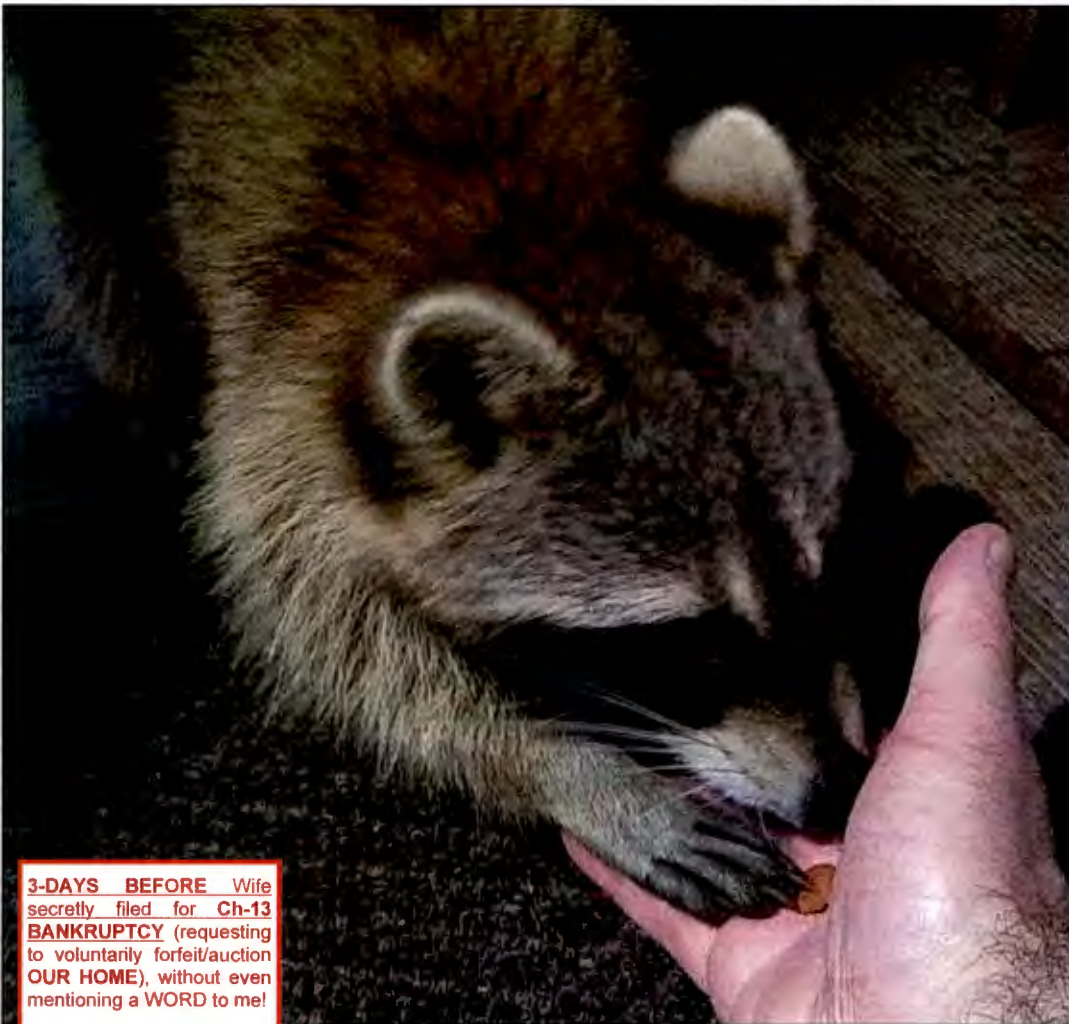
### Only the Court can change this Order:

Neither you nor the Petitioner can agree to change this Order. Even if the Petitioner attempts to contact you or agrees to have contact with you, you must obey this Order. If you do not, you can be jailed for **up to 11 months and 29 days and fined up to \$2,500.**

#### To the Petitioner:

You may ask any government agency or utility provider to keep private any information that could be used to locate you, such as addresses, phone numbers, and/or social security number. To do so, give a copy of this Protective Order to the Records Department of the agency or utility. (TCA § 10-7-504(a)(15-16))

**This is a Court Order.**



Then "THEY" later converted the "Ex Parte" into a FULL "ORDER OF PROTECTION", though still posing absolutely NO threat to WIFE! Carelessly destroying my ability to pass preemployment background checks, while needing a JOB more than ever, to simply SURVIVE their CRUEL and INHUMANE ORDERS!

All via a FRAUDULENT AFFIDAVIT and "DEFAULT JUDGMENTS", while DEPRIVING me of ALL RIGHTS to participate in MY HEARINGS!

Further followed by an outrageous, crippling, FIVE-YEAR EXTENSION, without even mailing me a NOTICE or a MOTION! (Still to DATE!)

There is NOTHING "LEGAL" about this! It is ALL about POWER, BIAS, DISCRIMINATION, COLLUSION, CONTROL, DOMINANCE & ABUSE!

I thought that "Lady Justice" held SCALES while wearing a BLINDFOLD?

Apparently not in Williamson County Tennessee!

**I LOVED MIDDLE TENNESSEE!**

I was a hard working, honest, tax paying resident for 25-YEARS! Until the day that I first met Judge Michael W. Binkley and his close personal friend, Attorney Virginia Lee Story!

Regretfully now, I hope to NEVER step on Tennessee soil again, ever!

**3-DAYS BEFORE** Wife secretly filed for Ch-13 BANKRUPTCY (requesting to voluntarily forfeit/auction OUR HOME), without even mentioning a WORD to me!

I accidentally discovered this (from her attorney) on 6/14/2019. FIVE DAYS LATER, Wife applied for a FRAUDULENT "OP" under FALSE TESTIMONY!

I have NEVER threatened to harm her, or laid a single finger on her in anger! EVER! (While I have ZERO Arrests, Complaints, Priors, NOTHING!)

**Even though WIFE is a HIGHLY TRAINED and HEAVILY EQUIPPED firearms and self-defense EXPERT!**

She is a Licensed TN HANDGUN INSTRUCTOR, with serious military assault rifles, and over 5,000 Rnds. of ammo when she left!

Yet somehow she obtained an OP "Ex Parte" from Judge Michael W. Binkley, who just "happens" to be CLOSE PERSONAL FRIENDS with Wife's divorce attorney, Virginia Lee Story.

**Welcome back to the OLD SOUTH!** Let's all practice saying "YES MASTER"!

I held out good for my raccoon buddy in my hand tonight, and he touched both his cold little nose and his paw to my hand.

<https://1drv.ms/v/s!AIWYAYYGDEXasH4MLLYxg0ct2nKs>

I DID IT!!!

Apr 23, 2019



OMG! raccoon!!! 😊

Fawn Fenton (mobile) | Apr 23, 2019

Was that not COOL AS HECK? I did like you told me... Trying to keep the door barely split so he didn't come inside, while taking a video with one hand, holding out the food in the other hand, trying to focus, call to him..... And you say that I can't multi-task!

I've interacted with him a ton through the glass, and a little outdoors, but that was the first time that we touched each other. He was super gentle, with his warm soft little tongue eating out of my hand, with never the slightest nip!

Apr 23, 2019



Love little raccoon!! 😊

Fawn Fenton (mobile) | Apr 23, 2019



WILLIAMSON COUNTY CHANCERY COURT, AT FRANKLIN, TN | DOCKET #48419B  
RE-CREATION OF EX-WIFE'S UNSIGNED PERSONAL STATEMENT ALLEGING FEAR & STALKING  
LOCATED IN TECHNICAL RECORD VOLUME 1, PAGE 15  
Line Numbers Added for Reference & Strike-Through for False/Fraudulent/Misleading Claims

1 My name is Fawn Fenton and I have been married to Jeff Fenton for 13 years. Jeff and  
2 I have been separated since April 22, 2018 and I have not seen him since sometime in  
3 April when we met to file our taxes. ~~Prior to that I had not seen him since December~~  
4 ~~2018.~~ I filed for divorce on June 4, 2019.

5 I am in fear for my safety based on the ~~repeated harassment that has continued to occur.~~  
6 ~~Over the last several weeks Jeff has sent me numerous text messages and lengthy e-~~  
7 ~~mails talking about his intentions on ruining my life, causing me issues with my employer~~  
8 ~~and clients at work, ruining my credit and financially ruining me. As a result of Jeff's~~  
9 ~~continued verbal and emotional abuse and deliberate non-cooperation, I have filed for~~  
10 ~~bankruptcy to preserve my finances. Upon finding out about the bankruptcy petition, Jeff~~  
11 ~~became enraged and his incessant texts and e-mails have been upsetting and vindictive.~~  
12 ~~Just as an example, from June 12 through June 16, Jeff sent me 12 e-mails all of~~  
13 ~~substantial length, describing how he plans on ruining my life. I am attaching just a~~  
14 ~~snapshot of my email account showing the number of e-mails sent from June 12-16. The~~  
15 ~~length of the emails would be too long to attach; however, I have saved them all. In~~  
16 ~~addition, Jeff continues to send me numerous text messages, some very lengthy, in some~~  
17 ~~of the texts he uses derogatory language, calling me a "bitch." On June 14, 2019 he~~  
18 ~~sent me 8 text messages within in less than 40 minutes. The next day, June 15, 2019~~  
19 ~~he sent me 16 text messages over the course of 4 hours, several of which were extremely~~  
20 ~~lenthly. I have asked Jeff on several occasions to stop e-mailing and texting me, however,~~  
21 ~~he continues to repeatedly harass me. At this point all of his communication to me is not~~  
22 ~~consensual and I have relayed this to Jeff multiple times. On June 15, 2019 Jeff left me~~  
23 ~~a voicemail on my cell phone stating that if I did not call him back or respond to his emails~~  
24 ~~or text messages that he was going to "show up at my work or apartment to try to get~~  
25 ~~some information out of me." I am fearful that he will actually show up at my work, as he~~  
26 ~~has done so in the past and has sabotaged my work e-mails. Jeff has been employed in~~  
27 ~~IT and is very tech savvy. In the past he was able to remotely log into my work computer~~  
28 ~~and delete all e-mails that had his name in them. My company has already spent a~~  
29 ~~considerable amount of money hiring a new IT support team to try and close loopholes~~  
30 ~~and delete Jeffs access to our system, but we are still finding settings that reference Jeffs~~  
31 ~~settings or route to his e-mails. Jeff has also threatened to post derogatory comments~~  
32 ~~anonymously on the internet about both myself and my company. This cyber stalking~~  
33 ~~could potentially cost me my job and career. I am fearful for what he may try to do now~~  
34 ~~that I have filed for divorce and am not responding to his threats.~~

35 On June 16th, 2019 in one of his lengthy e-mails he stated, "I wish we would have had  
36 an asteroid fall on our home and kill us (or at least me)", the day before I discovered your  
37 plans to divorce me." Jeff is a licensed gun carrier and has many weapons, and I am in  
38 fear of what he may do to me if this continues. ~~Jeff refers to himself as a part of the~~  
39 ~~"extraction team" and lives a very paranoid life.~~ He installed extensive home  
40 monitoring at our marital residence including surveillance videos and audio-recording  
41 systems.

**WILLIAMSON COUNTY CHANCERY COURT, AT FRANKLIN, TN | DOCKET #48419B**  
RE-CREATION OF EX-WIFE'S **UNSIGNED PERSONAL STATEMENT** ALLEGING FEAR & STALKING  
**LOCATED IN TECHNICAL RECORD VOLUME 1, PAGE 16**  
*Line Numbers Added for Reference & Strike-Through for False/Fraudulent/Misleading Claims*

42 ~~The harassment has caused me undue emotional stress and anxiety. I am unable to~~  
43 ~~sleep well, and his harassment is causing trouble in my day to day life.~~ The continued  
44 texting and e-mailing are interfering with my ability to perform my job and I fear that if  
45 these things continue that I will reach a point of an emotional breakdown.



(e) JUDGMENT. In pleading a judgment or decision of a domestic or foreign court, a judicial or quasi-judicial tribunal, or a board or officer, it suffices to plead the judgment or decision without showing jurisdiction to render it.

(f) TIME AND PLACE. An allegation of time or place is material when testing the sufficiency of a pleading.

(g) SPECIAL DAMAGES. If an item of special damage is claimed, it must be specifically stated.

(h) ADMIRALTY OR MARITIME CLAIM.

(1) *How Designated*. If a claim for relief is within the admiralty or maritime jurisdiction and also within the court's subject-matter jurisdiction on some other ground, the pleading may designate the claim as an admiralty or maritime claim for purposes of Rules 14(c), 38(e), and 82 and the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A claim cognizable only in the admiralty or maritime jurisdiction is an admiralty or maritime claim for those purposes, whether or not so designated.

(2) *Designation for Appeal*. A case that includes an admiralty or maritime claim within this subdivision (h) is an admiralty case within 28 U.S.C. §1292(a)(3).

(As amended Feb. 28, 1966, eff. July 1, 1966; Dec. 4, 1967, eff. July 1, 1968; Mar. 30, 1970, eff. July 1, 1970; Mar. 2, 1987, eff. Aug. 1, 1987; Apr. 11, 1997, eff. Dec. 1, 1997; Apr. 12, 2006, eff. Dec. 1, 2006; Apr. 30, 2007, eff. Dec. 1, 2007.)

#### Rule 10. Form of Pleadings

(a) CAPTION; NAMES OF PARTIES. Every pleading must have a caption with the court's name, a title, a file number, and a Rule 7(a) designation. The title of the complaint must name all the parties; the title of other pleadings, after naming the first party on each side, may refer generally to other parties.

(b) PARAGRAPHS; SEPARATE STATEMENTS. A party must state its claims or defenses in numbered paragraphs, each limited as far as practicable to a single set of circumstances. A later pleading may refer by number to a paragraph in an earlier pleading. If doing so would promote clarity, each claim founded on a separate transaction or occurrence—and each defense other than a denial—must be stated in a separate count or defense.

(c) ADOPTION BY REFERENCE; EXHIBITS. A statement in a pleading may be adopted by reference elsewhere in the same pleading or in any other pleading or motion. A copy of a written instrument that is an exhibit to a pleading is a part of the pleading for all purposes.

(As amended Apr. 30, 2007, eff. Dec. 1, 2007.)

#### Rule 11. Signing Pleadings, Motions, and Other Papers; Representations to the Court; Sanctions

(a) SIGNATURE. Every pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name—or by a party personally if the party is unrepresented. The paper must state the signer's address, e-mail address, and telephone number. Unless a rule or statute specifically states otherwise, a pleading need not be verified or accompanied by an affidavit. The court must strike an unsigned paper unless the omission

#### THE "UNSIGNED PERSONAL STATEMENT" MUST BE STRUCK FROM THE RECORD.

This should have never been allowed in the first place, had anyone cared about the truth, evidence, hearing both parties, allowing cross examination, equal and due process, and the rule of law. The Chancery Court had 250+/- pages of sworn testimony along with clear and convincing evidence on record that this was ALL fraud. (Including most of these pictures, which I believed spoke for themselves).

Obviously Ms. Fenton hasn't been in any DANGER from an angry (but non-threatening) text message or email. Unfortunately, this case was "fixed" by Michael Binkley & Virginia Story, and there was nothing they showed less care about than the TRUTH!

**Rule 11****FEDERAL RULES OF CIVIL PROCEDURE**

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is promptly corrected after being called to the attorney's or party's attention.

(b) REPRESENTATIONS TO THE COURT. By presenting to the court a pleading, written motion, or other paper—whether by signing, filing, submitting, or later advocating it—an attorney or unrepresented party certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

(1) it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;

(2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;

(3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and

(4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

(c) SANCTIONS.

(1) *In General.* If, after notice and a reasonable opportunity to respond, the court determines that Rule 11(b) has been violated, the court may impose an appropriate sanction on any attorney, law firm, or party that violated the rule or is responsible for the violation. Absent exceptional circumstances, a law firm must be held jointly responsible for a violation committed by its partner, associate, or employee.

(2) *Motion for Sanctions.* A motion for sanctions must be made separately from any other motion and must describe the specific conduct that allegedly violates Rule 11(b). The motion must be served under Rule 5, but it must not be filed or be presented to the court if the challenged paper, claim, defense, contention, or denial is withdrawn or appropriately corrected within 21 days after service or within another time the court sets. If warranted, the court may award to the prevailing party the reasonable expenses, including attorney's fees, incurred for the motion.

(3) *On the Court's Initiative.* On its own, the court may order an attorney, law firm, or party to show cause why conduct specifically described in the order has not violated Rule 11(b).

(4) *Nature of a Sanction.* A sanction imposed under this rule must be limited to what suffices to deter repetition of the conduct or comparable conduct by others similarly situated. The sanction may include nonmonetary directives; an order to pay a penalty into court; or, if imposed on motion and warranted for effective deterrence, an order directing payment to the movant of part or all of the reasonable attorney's fees and other expenses directly resulting from the violation.

(5) *Limitations on Monetary Sanctions.* The court must not impose a monetary sanction:

(A) against a represented party for violating Rule 11(b)(2); or



# **DUE TO COVID-19**

**I NEED to get a JOB from HOME  
Because of my Mother's Health  
Which I CAN'T DO with this STUPID OP!  
Please have the OP REMOVED and  
EXPUNGED or Start Sending Me  
SUPPORT PLEASE!**

## **ASTHMA, ALLERGY AND IMMUNOLOGY CENTER**

S. Anne, M.D. R. Botta, M.D. I. Badr, M.D. R. Mahajan, M.D. H. Azzam, M.D.

**Patient Name: Marsha Fenton**  
**Visit Date: 7/2/2020**

Thank you very much for letting me participate in the management of Marsha Fenton, who was seen by telephone consultation on 07/02/20. Marsha states that her IgA deficiency has been stable. She denies any upper or lower respiratory tract infection. She has been following strict avoidance measures from exposing to the COVID-19 infection. She is wearing the mask. She is staying home. Her son also stays with her, who is not working at this time. She denies any fever, chills, or rigors. She denies any upper or lower respiratory tract infection.

PHYSICAL EXAMINATION: Deferred at this time since this was done by telephone consultation.

IMPRESSION: Ms. Marsha Fenton has:

1. IgA deficiency, and
2. Chronic rhinosinusitis.

### RECOMMENDATIONS:

1. Marsha is prone to develop recurrent infections. Therefore, I advised her to follow strict isolation measures from exposure to COVID-19 infection.
2. Since her son stays with Marsha, I strongly recommend that her son should do his work from home since it will reduce significantly the risk of exposure of Ms. Fenton to the COVID-19 virus.
3. A follow-up appointment has been scheduled in one year but I advised her to contact me as soon as the pandemic is over for further evaluation and treatment.

Signed Electronically By Suresh Anne, MD

Signed Date: 7/3/2020 9:16:00 AM

E-Faxed to Ravikumar Peddireddy, MD On 7/3/2020 9:16:00 AM

I've been married three times. **First Wife:** 18-20. **Second Wife:** mid-twenties, lasted 4-years. **Third & Last Wife:** 2005-2019 (WILCO Docket #48419B). For the sake of protecting their anonymity (within this document), I will call my most recent wife by a very fond, private pet name, "Tootie". (It might not sound flattering, but it originated from the greatest fondness, and was never used derogatorily!) I will refer to my second wife here, as "Previous Wife" or "Prior Wife".

*Pastors Jon & Kitty Sterns (Franklin Vineyard), Pastors Jerry & Cindy Bryant (Nashville Vineyard), Dr. Roy Hamley (Woodmont Hills Counseling Center), and [REDACTED] Tootie (Girlfriend Extraordinaire):*

## Greetings!

This started off as an introduction letter to the Sterns, as they've succeeded in learning very little about me thus far (which I'll credit to my avoidance) but I've come to a point where I want to move forward, and to be **unknown** has never been my desire. (Did I hear the Bryant's say "AHMEN"? LOL) It requires a certain fondness, or at least a willingness to read, in order to grow very close to me.

The biggest emotional/spiritual problem that I have struggled with this past year, is the **absolute inability to "balance accounts"** from my past. My past relationships with God, the Vineyard (Nashville), and my [REDACTED] Previous Wife. For that reason I've decided to also use this letter to try to put language to some of those issues, and am hoping that this will be an instrument that will help bring about closure. Jerry & Cindy – I think that there were a lot of things that were unsaid, but understood, yet I feel that I owe you a direct explanation of why I left the church, the nature of my hurts & resentments prior to leaving, the reason that now in coming back to church I have chosen the Franklin Vineyard over Nashville, and to tell you both once again that **I love you very much and truly appreciate the investment that you made into my life.**

I've decided to do this in an open format, copied to all those mentioned above, hoping **not** to cause anyone shame, or expose anyone's nakedness, but rather because I think it is important for all those addressed to understand **My Journey**, what has brought me to this point, decisions I've made and why, and how this all has impacted me thus far. Further I don't wish to speak behind anyone's back (except [REDACTED] Prior Wife for reasons that shall become obvious later on). I've included Dr. Roy Hamely in the addressing of this letter as he is a Christian Counselor who is currently working with [REDACTED] Tootie and myself, both individually and as a couple, to help aid us in moving forward. I've also copied this letter to [REDACTED] Tootie, though much of it may be hard for her to read as it pertains to my ex-wife [REDACTED] Prior Wife. I think that it is important that as we move forward together, we both are knowledgeable about what has brought us each to this point, and the struggles that we still face (individually and together) even if those struggles do not directly involve the other.

First off, in regards to the Pastoral oversight, Counseling, and Care, I give you all complete permission to speak freely with each other about me. I am largely an open book. If you have something to say, or a burden on your heart, please don't tip-toe with me, **just say it.** I seem to possess an anointing that at some point causes even the most conservative pastor to swear, in an attempt to get through to me. So I expect this. Please feel free to cuss as you must. LOL

**Please honor my request that you treat this letter with the absolute of confidentiality.** It is intended for those who are named at top and absolutely no one else.



The only REAL "evidence" in #48419B are **MY OWN WORDS**. While they refuse to even allow me to provide the CONTEXT within which they were spoken, the background and history behind them. WHY I said what I said, WHEN I said it. Or what my words were even MEANT to communicate & convey! I'm just accused of texting/emailing **TOO MUCH** (try the "block" button), labeling me an "abusive stalker". **WORDS MEAN SOMETHING!** I'm **NO MORE** of a "STALKER", than anyone reading this is a "PEDOPHILE"! To assassinate my character while REFUSING to HEAR my TESTIMONY & DEFENSE, is an unconscionable ABUSE OF POWER, causing me to suffer "OFFICIAL OPPRESSION" for well over 2 years now!

# Contents:

(It's a bad sign when a letter has a "Table of Contents".)

- 1 Intro
- 2 Contents
- 3 Father – Adolescents – Vegas
- 4 Meet the Vineyard (Nashville)
- 5 The Sweat Shop
- 6 **Met Prior Wife**
- 7 Marriage [REDACTED]
- 8 [REDACTED]
- 9 True Love
- 10 [REDACTED]
- 11 Father vs. Husband
- 12 Different Journeys
- 13 [REDACTED]
- 14 Love / Hate Relationship
- 15 [REDACTED]
- 16 Dear Jeff
- 17 [REDACTED]
- 18 Purging the **Prior Wife** Files
- 19 [REDACTED]
- 20 Divorced **Previous Wife**
- 21 [REDACTED]
- 22 I'm never going to know! – Seeking Counsel
- 23 The Prophecy
- 24 Why did I leave the Vineyard (Nashville)?
- 25 Hurts and Resentments
- 26 Vineyard Mass Exodus
- 27 In Steps **Tootie**
- 28 **Tootie** Meets God
- 29 Walking Through Doors - Conclusion

It may be **UNUSUAL** to be so **verbose**, but everyone is different, **there is certainly no crime in that!** I have been a **WRITER** who best communicates through writing since my **TEENS!** That is my **FIRST AMENDMENT RIGHT!** It is how I'm wired! How I personally **process life and communicate** most effectively. "**Tootie**" knew that when we met, long before we ever got married.

*My writing has by far attracted more women in my life than any other quality about me. Many women find my intense honesty, vulnerability, and sincerity, combined with my ability to articulate it, to be rare and something which they are attracted to, and/or can deeply RELATE with!*

**Most of my life writing has been my most applauded strength and "gift".** I've helped change policies throughout the State of Tennessee, before with this "gift". I've been thanked by governors, senators, mayors, given a special award... Often (if not **USUALLY**), Tootie **EDITED** my writing for grammar, punctuation, spelling, and overall content. Tootie showed little dislike for my writing, until she **LEFT** me, and it reminded her of the **TRUTH**, which we had both experienced together. Our promises to each other, while I tried to persuade her onto a healthier path for **herself**.

**NEVER ONCE, in 15-YEARS, had I heard the word "ABUSE" or "Emotional Abuse" from "Tootie", until she secretly met with her first DIVORCE ATTORNEY!** We walked very closely with numerous counselors, mentors, pastors, leaders in our lives, we have worked through several of our **OWN** issues and relational challenges. Yet **NEVER ONCE** was I remotely accused of "abusing" my beloved "Tootie" in **ANY WAY, SHAPE or FORM!** (Such claims are no less than litigious terrorism!)

The point of me sharing this document with the Court is not the **CONTENT**, it is the **VERBOSITY**, the **BULK OF WRITTEN CONTENT**, a **THIRTY-PAGE** written letter **PRIOR** to marriage - where there were no secrets, all the cards were **ALWAYS** on the table (at least from my end)! This also shows the level of **AUTHENTICITY, HONESTY, OPENNESS, TRANSPARENCY, VULNERABILITY**, and the level of **ACCOUNTABILITY** that I've walked in for **DECADES!** This is **WHO I AM!** Regardless of what those with an agenda pretend or claim!

I have a **LIFETIME** of **EVIDENCE** proving **MY IDENTITY!** I belonged to writers groups at church. I founded **NashvilleChristian.com**, as I met with church leaders throughout the mid-state. Twice I was a guest on local radio programs. While I designed, administered and managed the website and fax service prior, for over a decade. I also served as Tootie's **SOUND BOARD**. She shared and bounced everything off of me, **DAILY**, while I helped her and her company in any way that I could! I communicated with Tootie probably **5-25 times per day** on average, via texts, emails and phone calls. **We were connected at the hip, and together a force to be reckoned with!** (This was as much by HER will as it was by MINE!) **We were a TEAM!**

Unfortunately, our greatest strengths are often our greatest weakness, when our lives enter into a state of trauma. (Hence, I do regret some things that I've said and done.) **Yet REALITY is NOTHING as has been fraudulently claimed, to bind and discard me, without cost or consequence.**



PLEASE STRIKE & EXPUNGE THE "DEFAULT ORDER OF PROTECTION" ORDERED BY WILLIAMSON CHANCERY ON 10/21/2019 AND THEN EXTENDED FOR FIVE-MORE YEARS, WITHOUT NOTICE OF MOTION! I HAVE NEVER EVEN BEEN ALLOWED TO PARTICIPATE IN A HEARING TO DEFEND MYSELF! DESPITE PROMISES ON COURT RECORD 8/29/2019, TO ALLOW ME TO PARTICIPATE BY PHONE, KNOWING CHANCERY HAD FORCEFULLY RENDERED ME HOMELESS AND I NEEDED TO IMMEDIATELY RELOCATE TO MICHIGAN, HAVING NO OTHER PROVISION FOR SHELTER, FOOD, OR SURVIVAL IN TENNESSEE! WHILE ONCE THE FRAUD AND FALSE TESTIMONY USED TO MANIPULATE THE COURT IS REMOVED, THE ONLY REMAINING "GROUNDS" ARE ELECTRONIC COMMUNICATIONS WITH NO PHYSICAL THREATS OR DANGER!



**TEXT MESSAGES FROM WIFE'S INITIAL "DIVORCE ANNOUNCEMENT" TO ME, ON MARCH 13TH, 2018.**

**WIFE'S "FEAR" WAS ENTIRELY BASED UPON HER BELIEF ABOUT WHAT WAS "UNDERSTANDABLE" IN HER OPINION! NOT ANYTHING I EVER DID!!!**

WHAT WIFE NEEDED WAS MENTAL AND PHYSICAL HELP FOR MENOPAUSE, NARCOLEPSY, AND CHRONIC DEPRESSION. WHAT SHE GOT INSTEAD WAS HELP COMMITTING MULTIPLE COUNTS OF FRAUD, WHICH COMPOUNDED HER STRESS & QUICKLY DETERIORATED HER HEALTH EVEN MORE!

3/13/18, 7:58 PM from Fawn Fenton

I thought you would hate me for this, and you would make me as miserable as possible to get back at me.

3/13/18, 8:19 PM from Fawn Fenton

Ok. Thank you. I was truly afraid you would be blinded by rage and hurt, (understandably so).



3/13/18 8:42 PM from Fawn Fenton

I was so convinced you were going to try to destroy me, I was too afraid to ask you for an agreement.

Regardless of what people can "GET AWAY WITH" legally, it is CRUEL, INHUMANE, and down right UN-AMERICAN to DEPRIVE a person of their CONSTITUTIONAL RIGHTS and/or hinder their most Basic Need and Ability to SUPPORT Themselves and their Family, by ANY legal means available to anyone else.

Based entirely upon someone else's unfounded concerns due to the Damages which THEY SECRETLY PLANNED TO CAUSE, with NO HISTORY of Violence, Arrests, or SERIOUS RISK of PHYSICAL DANGER, short of charging the individual with a CRIME and providing them with FULL EQUAL AND DUE PROCESS OF LAW!

The DEPRIVATION OF RIGHTS for Convenience and Arbitrary Power is "ABSURD, SLAVISII, AND DESTRUCTIVE OF THE GOOD AND HAPPINESS OF MANKIND." (Article I, Section 2) of the CONSTITUTION OF THE STATE OF TENNESSEE!

**THIS WAS A WHOLE YEAR BEFORE ATTORNEY STORY WAS HIRED, WITHOUT A SINGLE "INCIDENT", "THREAT" OR "DANGER" OF ANY SORT! WIFE INVITED ME OVER I BROUGHT HER GIFTS, SHE WANTED TO REMAIN FRIENDS AFTER DIVORCE!**

I PRAY THAT THE WILLIAMSON COUNTY CHANCERY COURT OPERATE FAIRLY, WITH THE WELLBEING OF ALL CITIZENS TREATED EQUALLY, AS REQUIRED IN THE CONSTITUTION OF THE GREAT STATE OF TENNESSEE. THAT MY FREEDOM, MY NAME, AND MY REPUTATION, BE RESTORED, HAVING COMMITTED NO CRIME. SO THAT I CAN PASS A BACKGROUND CHECK AND GET A JOB TO SUPPORT MYSELF, AS I DESPERATELY NEED, OR THAT A FULL CRIMINAL INVESTIGATION BE LAUNCHED INTO THE DEPRIVATION OF BOTH MY RIGHTS AND MY PROPERTY!



# CONSTITUTION ANNOTATED

Analysis and Interpretation of the U.S. Constitution

## Amdt5.4.4.2.1 Deprivations of Liberty

### Fifth 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.*

With respect to liberty interests, the Court has followed a similarly meandering path. Although the traditional concept of liberty was freedom from physical restraint, the Court has expanded the concept to include various other protected interests, some statutorily created and some not.<sup>1</sup> Thus, in *Ingraham v. Wright*,<sup>2</sup> the Court unanimously agreed that school children had a liberty interest in freedom from wrongfully or excessively administered corporal punishment, whether or not such interest was protected by statute. “The liberty preserved from deprivation without due process included the right ‘generally to enjoy those privileges long recognized at common law as essential to the orderly pursuit of happiness by free men.’ . . . Among the historic liberties so protected was a right to be free from, and to obtain judicial relief for, unjustified intrusions on personal security.”<sup>3</sup>

The Court also appeared to have expanded the notion of “liberty” to include the right to be free of official stigmatization, and found that such threatened stigmatization could in and of itself require due process.<sup>4</sup> Thus, in *Wisconsin v. Constantineau*,<sup>5</sup> the Court invalidated a statutory scheme in which persons could be labeled “excessive drinkers,” without any opportunity for a hearing and rebuttal, and could then be barred from places where alcohol was served.



NOT EVERY FEMALE IS FRAIL, WEAK, DEFENSELESS, AND AFRAID; EVEN IF THEY CLAIM TO BE, FOR A STRATEGIC ADVANTAGE DURING A DIVORCE.





## **FAWN ■ FENTON**

1986 Sunny Side Drive, Brentwood, Tennessee 37027

Tel: (615) ■ 7377

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*Self-Defense Handgun Instructor*

### **CERTIFICATIONS & AFFILIATIONS**

- **NRA Certified Basic Pistol Instructor**
- **Tennessee Department of Safety Concealed Carry Instructor**
- **Front Sight Firearms Training Institute Handgun Instructor, Pahrump, NV**
- **CCWP Instructor at The Range Incorporated, Centerville, TN**
- Nashville Police Department, Citizens Police Academy, Spring 2009
- Mount Juliet Police Department, Citizens Police Academy, Spring 2004
- Member of the NRA since 2004, Life Member since 2012
- Certified Trainer with NRA "Refuse to Be a Victim" Program
- Member of the United States Practical Shooting Association since 2003

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### **TRAINING**

- Front Sight Firearms Training Institute, 4-Day Practical Rifle (FN-FAL & AR15), January 2018
- Front Sight Firearms Training Institute, 4-Day Defensive Handgun, March 2013
- Front Sight Firearms Training Institute, 4-Day Armorers Class – AR15, March 2010
- Front Sight Firearms Training Institute, 4-Day Line Coach – Defensive Handgun, March 2010
- Front Sight Firearms Training Institute, 4-Day Instructor Development, February 2009
- Front Sight Firearms Training Institute, 4-Day Practical Rifle (AR-15), February 2008
- Front Sight Firearms Training Institute, Handgun Master Prep, January 2007
- HGR Firearms NRA Basic Pistol Instructor Certification Course, June 2006
- Front Sight Firearms Training Institute, 4-Day Defensive Handgun, January 2006
- Front Sight Firearms Training Institute, 4-Day Practical Rifle (AK-47), January 2005
- Tactical Response, 2-Day Fighting Pistol, May 2004
- Vanderbilt Rape Aggression Defense Systems, December 2003
- The Range Incorporated, Advanced Handgun II, November 2003

- Front Sight Firearms Training Institute, 4-Day Defensive Handgun, October 2003
  - The Range Incorporated, Advanced Handgun I, April 2003
  - The Range Incorporated, State Concealed Carry Course, February 2003
  - Front Sight Firearms Training Institute, 4-Day Defensive Handgun, October 2002
- 

## **REFERENCES**

JOHN HUTCHERSON ■ Owner, The Range Inc. Instructor, DCSO Correctional Officer

T: (615) 662-6815, Nashville, TN [therange@bellsouth.net](mailto:therange@bellsouth.net)

RICK MORELLO ■ Front Sight Firearms Operations Manager, Instructor

T: (800) 987-7719, Pahrump, NV [morello@frontsight.com](mailto:morello@frontsight.com)

MARK DAVENPORT ■ Brother, U.S. Marine Veteran

T: (949) [REDACTED]-6204, Lake Forest, CA [REDACTED]



Ms. Fenton's Bushmaster AR-15 M4-A3 NATO 5.56mm x 45mm Assault Rifle  
with a telescoping stock, tactical sling, Trijicon VCOG (Variable Combat Optical Gunsight)





Ms. Fenton graduating the Davidson County "Citizens Police Academy" (She also graduated from the Mt. Juliet Citizens Police Academy previously.)  
Award presented by former Nashville Mayor Karl Dean





Ms. Fenton's FN FAL (F.M.A.P. "DM" Rosario) 7.62mm x 51mm  
INDUSTRIA ARGENTINA (L.S.R. 308 WIN)

Full Size Assault Rifle - This rifle is almost as tall as she is, it's MASSIVE!

Ms. Fenton and her brother Mark have matching rifles, he purchased when he got out of the Marines. (Don't tell anyone, but this is illegal in California where he lives.)








**INVENTORY DATE: 5/1/2018**

Insurance company: Donegal Insurance Group  
 Insurance company phone: (800) 877-0600  
 Policy number: HOC 8115950  
 Insurance agent: Will & Anna Lima Montgomery (Montgomery & Assoc.)  
 Insurance agent phone: (615) 829-8457  
 Insurance agent address: 1730 General George Patton Dr, #212, Brentwood, TN 37027

Where Purchased	Quantity Purchased	Purchase Price	Price per Round	Date	Counted	Quantity Counted	Estimated Current Value	Notes
SportsmansGuide.com	1,000	\$372.38	\$0.37	5/1/2018	1,000	1,000	\$372.38	2x 500 Round Cases (25 Boxes of 20 Rounds Each)
AmmoMan.com	1,000	\$219.00	\$0.22	5/1/2018	780	780	\$170.82	39 Boxes of 20 Rounds
SportsmansGuide.com	1,000	\$645.98	\$0.65	5/1/2018	1,000	1,000	\$645.98	2x 500 Round Cases (25 Boxes of 20 Rounds Each)
SportsmansGuide.com	100	\$132.95	\$1.33	5/1/2018	100	100	\$132.95	5 Boxes of 20 Rounds
SportsmansGuide.com	1,000	\$326.78	\$0.33	5/1/2018	300	300	\$98.03	6 Boxes of 50 Rounds Each
AmmoMan.com	1,000	\$179.00	\$0.18	5/1/2018	700	700	\$125.30	14 Boxes of 50 Rounds
AmmoMan.com	300	\$234.00	\$0.78	5/1/2018	50	50	\$39.00	1 Box of 50 Rounds
AmmoMan.com	1,000	\$289.00	\$0.29	5/1/2018	550	550	\$158.95	11 Boxes of 50 Rounds
AmmoMan.com	100	\$90.00	\$0.90	5/1/2018	100	100	\$90.00	2 Boxes of 50 Rounds
Unknown	500	\$125.00	\$0.25	5/1/2018	380	380	\$95.00	19 Boxes of 20 Rounds (Guessed at Pricing)
Unknown	220	\$65.00	\$0.30	5/1/2018	220	220	\$65.00	Fed = 50 Rounds   CCI = 150 Rounds   Win = 20 Rds
		<b>\$2,679.09</b>				<b>5,180</b>	<b>\$1,993.41</b>	

### **Ms. Fenton counted in over 5,000 rounds of AMMO when she moved out of our marital residence.**

While Judge Michael W. Binkley and Attorney Virginia Lee Story have been pretending that she is **"in danger"** from an angry but non-threatening text message or email, from 600-miles away, in the State of Michigan. (My mom said, **"she's an architect, she knows how to block a number."**) **You would think.**

**It's called holding my civil rights hostage, to try to extort my silence** about the criminal misconduct by Judge Michael W. Binkley and Attorney Virginia Lee Story. It's also called an **"illegal prior restraint"**, which Judge Binkley is well known for, as evident in the KnoxNews video. It's also called **ADA interference and retaliation**. The 5-year extension was added when I reported the misconduct between Judge Binkley and Attorney Story to the Tennessee Court of Appeals. That's called **"OFFICIAL OPPRESSION"**. I never received a motion, was never allowed to testify, was never given a **"reason"** for the 5-year extension, destroying my vocational opportunities from 600-miles away, **for six years, during COVID**. The court never had jurisdiction to harm me in a case predetermined between friends. Beeler & Story both refused to tell me **WHY** the absurd extension was added, but I know **WHY**, no matter what their story is. **For extortion!** Not one legal, lawful, ethical, good-faith action took place in docket #48419B.



**QUESTION:** What's more "dangerous" than an angry text message or an email? **ANSWER:** 5,000 ROUNDS OF AMMUNITION!  
This was Ms. Fenton's personal ammunition supply when she moved out of the marital residence. (Does anybody find this absurd other than me?)





# Front Sight's 23 Year Anniversary!

## 2019 Schedule of Courses

*Front Sight Offers You the World's Premier Facility and the Finest Instructional Staff in the Industry for Self Defense Training and Recreation!*

This is where Ms. Fenton was trained to shoot. This is where she owns a coveted legacy "First Family Lifetime Membership" This is probably the best civilian firearms training academy in the United States of America. By the way, Ms. Fenton has worked here as a "line coach" too.



*Spend an exciting weekend at Front Sight and leave with the skills to safely protect yourself and your family.*

*Firearms, Edged Weapons, and Empty Hand Defense courses taught by personable, real-world instructors who will dramatically elevate your skills and bring out the best in you... Guaranteed!*

*All courses open to private citizens and law enforcement alike.*



Las Vegas, Nevada 1.800.987.7719 [www.frontsight.com](http://www.frontsight.com)



Ms. Fenton shooting her FN FAL 7.62mm x 51mm assault rifle at Front Sight Firearms Training Institute, in Pahrump Nevada.  
Does the training look SERIOUS? It is! Highly disciplined and skilled. (I've never seen Ms. Fenton physically afraid of ANYONE in her life.)









Ms. Fenton with her Bushmaster AR-15 standing beside her brother Mark, with his matching FN FAL 7.62mm x 51mm assault rifle at Front Sight Firearms Training Institute, in Pahrump Nevada. All kidding aside, this is their family time together, and I'm glad that Ms. Fenton has this confidence. (I just wish I wasn't being deprived of my freedoms based on lies. That's Binkley and Story's fault, it was their conspiracy against my rights & property.)







Ms. Fenton shooting her Glock Model-23 .40 Caliber Pistol. She does some competitive shooting also, or at least did at one time. (All the range Master's tell me, "you better be nice to her". Point taken.)



# STATE CERTIFIED HANDGUN INSTRUCTOR

Awarded to

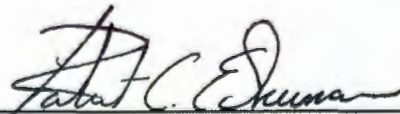
*Fawn ■ Fenton*

ID # 197 / 30 / 1220

Presented by

**Tennessee Department of Safety**

Issued 5/8/12 Expires 8/15/15



Program Director



Commissioner



**Ms. Fenton with her brother Mark and their father Eddie, at Front Sight Firearms Training Institute in Pahrump Nevada. Shooting is a family affair. NOTE: Ms. Fenton was employed by Front Sight as a "Line Coach" during this trip. (They're pretty picky about who they hire to coach.)**







**Ms. Fenton's Glock Model-23 .40 Caliber Pistol with a 13-Round Clip**  
This is her "Daily Carry Weapon". She doesn't leave home without it!



**Thank you for your efforts in promoting the safe and responsible use of firearms**

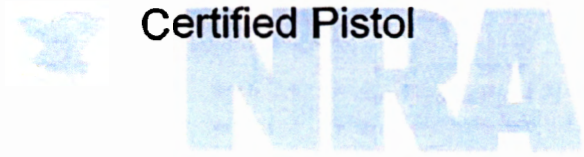
- Each team instructor gets full credit for the course when you team teach.
- Remember to report your courses within 10 days of completion at [nrainstructors.org](http://nrainstructors.org).

**National Rifle Association Credentials**

**FAWN ■ FENTON**

*Instructor*

**Certified Pistol**



**New ID Card Enclosed**

**FAWN ■ FENTON**  
1986 SUNNY SIDE DR  
BRENTWOOD, TN 37027-5404

*Edward J. Land, Jr.*  
Edward J. Land, Jr., Secretary

**NRA # 13720 ■■■■■**

**Expires: 8/31/2016**

Not valid for conducting NRA Law Enforcement or NRA Security Officer Training Courses.

Detach card and carry in wallet. This appointment is valid until the date shown. Prior to the expiration date on this card you will be given an opportunity to renew. Be sure to return the renewal application promptly when it comes.

**New ID Card Enclosed**

8/6/2013 15:12:04

0





**Ms. Fenton's Glock Model-17 9mm Pistol with a 17-Round Clip**  
This is her training gun, to let beginners use. It has less recoil.





# National Rifle Association of America

## Certificate of Membership

*This certifies that*

**Fawn Fenton**

*has fulfilled the requirements of a*

**Life Member**

*as set forth in the bylaws of the Association*

*Date* April 26, 2012 *National Rifle Association*

*Way Le Pini*  
Executive Vice-President



**Ms. Fenton's Ruger SP101 .357 Magnum Revolver (.38 Special)**  
The hammer is made to not snag on clothing as you pull it out of your pocket.



OPERATIONS REPORT

1. AGENCY WILLIAMSON COUNTY SHERIFF'S OFFICE		2. PERSON RECEIVING COMPLAINT 2265 - Dep. Warren P. Cagle		3. DATE/TIME RECEIVED 04/22/2018 21:29 CLOCK		5. TIME ARRIVED 21:38		7. CASE NUMBER 2018-9643		
4. TIME DISPATCHED 21:29		6. TIME COMPLETED 22:25		8. NATURE OF INCIDENT DOMESTIC-VERBAL - Event #1804060888						
9. LOCATION OF INCIDENT 1986 Sunnyside Drive, Brentwood TN 37027				LOCATION CODE 01		REPORTING ZONE 1		DISPATCH ZONE/SECTION 1		
				PATROL ZONE/GRID 1		OTHER ZONE/BEAT				
10. VICTIM COMPLAINANT ACCUSED VEHICLE		Fenton, Fawn [REDACTED] - 1986 Sunnyside Drive, Brentwood, TN 37027								
11. ACTION TAKEN On 04/22/2018, at approximately 2138 hours I arrived at 1986 Sunnyside Drive, Brentwood, Tennessee, in reference to a Verbal Domestic call. Once on scene, I made contact with the complainant Mrs. Fawn [REDACTED] Fenton. Mrs. Fenton she had informed her husband. Mr. Jeffery R. Fenton that she wanted a divorce. This led to a verbal dispute between Mr. And Mrs. Fenton. Mrs. Fenton felt unsafe as the argument escalated and contacted law enforcement. I spoke to both parties involved and concluded that the dispute was verbal only. Mrs. Fenton voluntarily elected to gather some belongings and go stay with a friend for a few days.										
<p>FAWN CAME BACK TO THE HOUSE THE NEXT DAY, BY HERSELF, TO PICK-UP BUNNY HAY + WOOD CHIPS, PERFECTLY CALM, WHICH SHE COULD HAVE PURCHASED FROM ANY PET SUPPLY STORE FOR \$15.00. I CALMLY HELPED HER CARRY IT TO THE CAR, ASSISTING WITH ANYTHING ELSE SHE WANTED TO TAKE. THERE WAS NO FRICTION BETWEEN US, HER MIND WAS OBVIOUSLY MADE UP, I UNDERSTOOD AND ACCEPTED IT. I HELPED FAWN AS MUCH AS POSSIBLE, FOR THE MONTHS TO COME, AS SHE SLOWLY MOVED.</p>										
12. CLASSIFICATION <input checked="" type="checkbox"/> General Police <input type="checkbox"/> Traffic <input type="checkbox"/> Emergency			13. HOW RECEIVED <input type="checkbox"/> Phone <input type="checkbox"/> On-View <input type="checkbox"/> Walk-In <input checked="" type="checkbox"/> Radio			14. DISPOSITION <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Complete <input type="checkbox"/> See Inv. Report			15. OFFICER ASSIGNED 2265 - Dep. Warren P. Cagle	
						16. OFFICER SIGNATURE		17. DATE PRINTED MO DAY YR 05 / 02 / 2018		





Ms. Fenton's 22 Mag Mini-Master (Black Widow) This gun will fit in the palm of your hand, and can easily be carried in gym shorts. Ms. Fenton calls this her "dog walking gun".

# Invoice

Invoice: **37535**



**The Sign Center**  
 7107 Crossroads Blvd., Suite 104  
 Brentwood, TN 37027  
 ph.: 615-377-0148  
 fax.: 615-377-4742  
 email: Dave@TheSignCenterUSA.com

Description: **custom routed shape Trespassing sign**  
 Customer: Jeff Fenton  
 Fenton, Jeff  
 Salesperson:  
 ph:  
 email:

Product	Font	Qty	Sides	Height	Width	Unit Cost	Item Total
1	ALUM .080 (Pre Cut)	2	1	36	24	\$217.50	\$435.00

Color: custom on custom  
 Description: Aluminum (.080) Sign  
 Text:

**Payments Received (thank you)**

Date	Amount	Payment Method	Tracking Number
8/28/2017 4:44:04PM	\$275.24	Cash	
8/3/2017 3:22:37PM	\$200.00	Cash	
<b>Total Payments:</b>	<b>\$475.24</b>		

**WIFE did the DESIGN Work for these Signs at her Work, using their CAD Architectural Software. Then I helped her with the graphics. This was a JOINT PROJECT, Installed around 8/28/2017. Costing over \$500 with Hardware. There was NO PLANS for a DIVORCE when these Signs were Designed, Purchased, & installed! These looked NICE! WIFE Moved out on April 22nd 2018, 16 MONTHS LATER. It had NOTHING to do with these signs!**

Other Payments: \_\_\_\_\_  
 Form of Payment / Amount / Initials

Notes:

Ordered: 8/3/2017 3:16:38PM  
 PickedUp: 8/28/2017 4:34:16PM  
 Printed: 8/28/2017 4:44:45PM  
 Status: Closed

Line Item Total:	\$435.00
Subtotal:	\$435.00
Taxes:	\$40.24
<b>Total:</b>	<b>\$475.24</b>
<b>Total Payments:</b>	<b>\$475.24</b>
<b>Balance Due:</b>	<b>\$0.00</b>

ATTN: Jeff Fenton  
 Fenton, Jeff  
 7101 Executive Center Dr.  
 Suite 147  
 Brentwood, TN 37027

Payment due upon completion of order.

Received/Accepted By: \_\_\_\_\_ / /

**Almost Professional. Everytime. Guaranteed.**

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NO TRESPASSING SIGNS Used by Attorney Virginia Story to Assassinate my Character in Court: DESIGNED primarily by WIFE at WORK!

**FENTON RESIDENCE**  
 1986 Sunny Side Drive  
 INVITED FRIENDS & WILDLIFE WELCOME!  
 ~ ALL OTHERS ~  
**STOP**  
**NO TRESPASSING**  
 (U.S. Const. amend. IV / T.C.A. §§ 39-14-405--39-14-407)

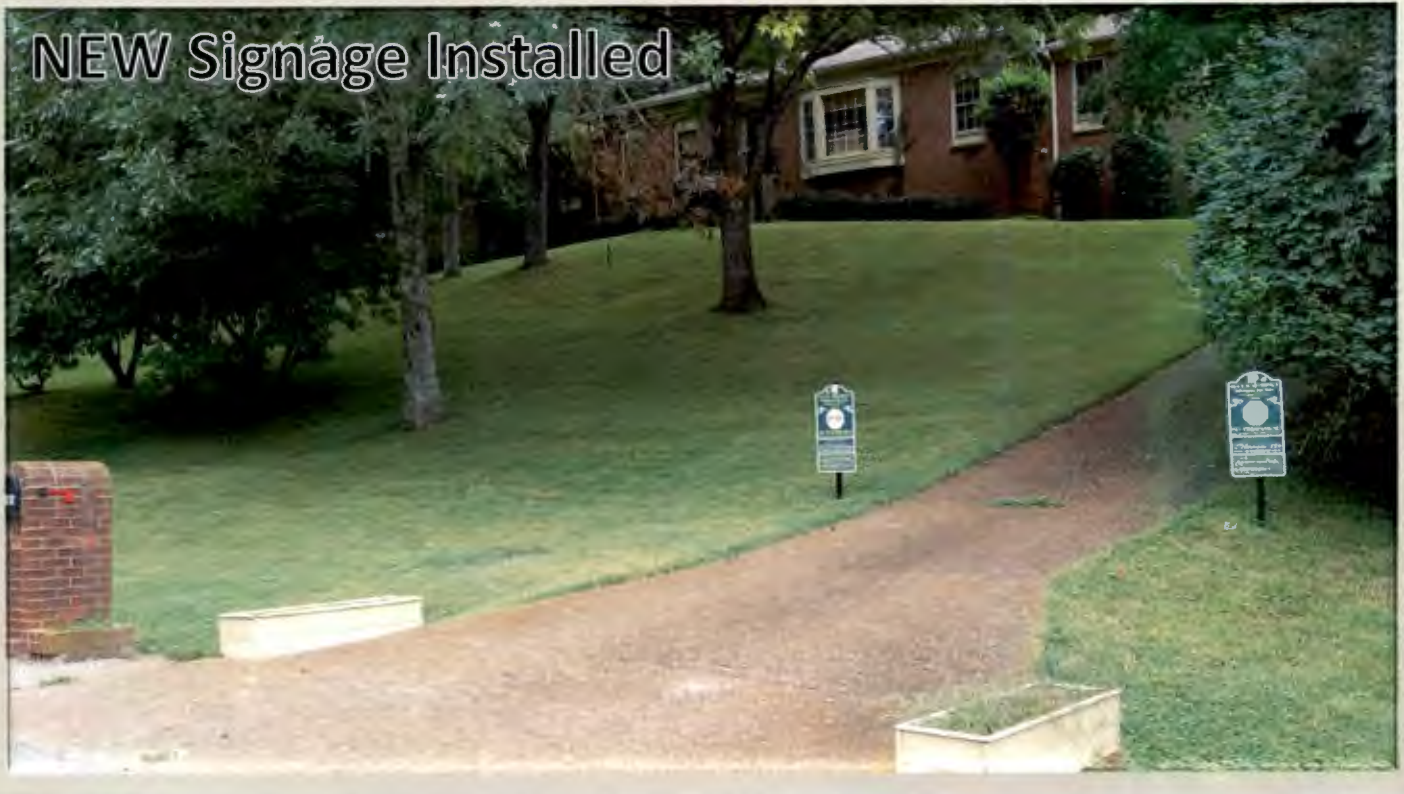
DELIVERIES: Please Leave at the Garage.  
VISITORS: Confirmed Appointment Required in Advance.  
EMERGENCIES: Ambulance & Fire Services Permitted to Protect Life and Property.  
**ALL OTHER IMPLIED LICENSE TO ENTER IS HEREBY REVOKED.**

**NO ENTRY to LAW ENFORCEMENT**  
 or government representatives, except when responding to an alarm or distress call from within this residence.  
 ✦ "Knock-and-Talk" is expressly Forbidden. ✦  
 ▶ Please Don't Proceed Past the Ditch ◀  
 unless invited onto this property by the owners, or meeting the conditions above.  
WHY SO VERBOSE? See what TN COURTS have DONE: [www.TennesseeTrespassing.com](http://www.TennesseeTrespassing.com)  
**Audio & Video Surveillance in Use:** + Violators will be Held Socially & Legally Accountable, through ANY Media Channel or Publication, both Online and Otherwise, and IF you do NOT AGREE to the Foregoing, Please do NOT ENTER this Property.  
 BY Entering YOU AUTHORIZE the USE of ANY Media Captured of you, for ANY PURPOSE. + YOU AGREE to Indemnify and Hold Harmless the Fentons (property owners) of ALL Claims.



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# NEW Signage Installed





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## Deer Family



Vector black and white illustration of deer family mother feeding cattle.

Add to Favorites Save Comp

### Pricing

Help Me Choose

File Size	pixels	inches	cm	USD
Small JPEG	800x664 px	- 72 dpi		\$2.50
Medium JPEG	1600x1327 px	- 300 dpi		\$4.00
Large JPEG	3000x2488 px	- 300 dpi		\$7.00
X-Large JPEG	4000x3318 px	- 300 dpi		\$8.00
<input checked="" type="radio"/> EPS Vector	Scalable to any size			\$12.00

Licensing, Prints & Other Options Learn More

More Options

**Total: \$12.00 USD**

**Download Now**

No Signup Needed

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Collection of silhouettes of wild



The deer drawn on a maple leaf



vector illustration of beauty deer family silhouette with sunset



Cartoon illustration of a deer family Fathe



Set of Deer fa vector, illustr

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### Illustration Information



by Copestello

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csp9892059 uploaded on 2012-06-15.

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- nature reender shape sign silhouette
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**Jeff Fenton**

---

**From:** Fawn Fenton  
**Sent:** Sunday, July 23, 2017 7:51 PM  
**To:** Fawn Fenton; Jeff Fenton  
**Subject:** deer graphics for sign

<http://www.canstockphoto.com/deer-family-9892059.html>

<http://www.canstockphoto.com/whitetail-deer-silhouettes-4347808.html>

Sent from [Mail](#) for Windows 10



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**Jeff Fenton**

---

**From:** Fawn Fenton <ffenton@[REDACTED]architects.com>  
**Sent:** Wednesday, August 2, 2017 11:11 AM  
**To:** Jeff Fenton  
**Subject:** RE: TN Code (Combining Lines)

Thanks!

**From:** Jeff Fenton  
**Sent:** Wednesday, August 02, 2017 9:59 AM  
**To:** Fawn Fenton <ffenton@[REDACTED]architects.com>; Fawn Fenton  
**Subject:** RE: TN Code (Combining Lines)

<http://www.tennesseedefenselitigation.com/BlogEntry.aspx?id=37>

T.C.A. §§ 39-14-405--39-14-407

**JEFF FENTON**  
**METICULOUS.TECH**  
(615) 837-1300 OFFICE  
(615) 837-1301 MOBILE  
(615) 837-1302 FAX

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WHEN IT'S WORTH DOING RIGHT THE FIRST TIME!  
SUBMIT OR RESPOND TO A SUPPORT TICKET [HERE](#).  
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**From:** Jeff Fenton  
**Sent:** Wednesday, August 02, 2017 9:43 AM  
**To:** Fawn Fenton <ffenton@[REDACTED]architects.com>  
**Subject:** RE: TN Code (Combining Lines)

Looks like it would be like this: T.C.A. §§ 39-14-405 to 39-14-407

Based on this example: N.D.C.C. §§ 11-01-09, 11-01-11, 11-01-15 to 11-01-19.

From this webpage: <https://www.ndcourts.gov/court/citation/III.A.htm>

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**From:** Fawn Fenton [[mailto:ffenton@\[REDACTED\].architects.com](mailto:ffenton@[REDACTED].architects.com)]  
**Sent:** Wednesday, August 02, 2017 9:29 AM  
**To:** Jeff Fenton  
**Subject:** RE: TN Code (Combining Lines)

I have spent 10-15 minutes searching online, and I still don't know the answer to this... I will have to look at it later this afternoon.  
Sorry!

**From:** Jeff Fenton  
**Sent:** Wednesday, August 02, 2017 9:07 AM  
**To:** Fawn Fenton <[ffenton@\[REDACTED\].architects.com](mailto:ffenton@[REDACTED].architects.com)>; Fawn Fenton  
**Subject:** TN Code (Combining Lines)

Lovie,

How would this be expressed:

- T.C.A. § 39-14-405
- PLUS
- T.C.A. § 39-14-406

How would that be combined and denoted?

T.C.A. § 39-14-405, 406?

I need the line to be a little longer to justify with all the other lower lines. ☺

Gracias!

**JEFF FENTON**  
**METICULOUS.TECH**

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**Jeff Fenton**

---

**From:** Fawn Fenton <ffenton@[REDACTED]architects.com>  
**Sent:** Wednesday, August 2, 2017 6:13 PM  
**To:** Jeff Fenton  
**Subject:** RE: Very Minor Change in Dimensional PDF WITH BLEED  
**Attachments:** Jeffy Sign\_Bleed Dimensions.pdf

Ok here it is

---

**From:** Jeff Fenton  
**Sent:** Tuesday, August 01, 2017 10:50 PM  
**To:** Fawn Fenton <ffenton@[REDACTED]architects.com>; Fawn Fenton  
**Subject:** Very Minor Change in Dimensional PDF WITH BLEED

Hello Lovie,

Can you please make just one minor change for me of the ONE dimensional PDF, which includes the BLEED?

I'd like to change the LABEL on the bottom of the page:

- FROM: "DIMENSIONS OF PRINT COPY WITH BLEED"
- TO: "DIMENSIONS OF OVERPRINT COPY WITH ¼" BLEED"

Exactly as quoted above please! I know that I gave you the wording last time, but in working on this I've remembered that the term "overprint" is what is commonly referred to as the copy WITH Bleed, and that it would be helpful to specify the exact amount of bleed used throughout.

That is the ONLY change. Please just the highlighted text above (without the highlight), replacing the label at the bottom of the sheet.

Everything else is PERFECT!

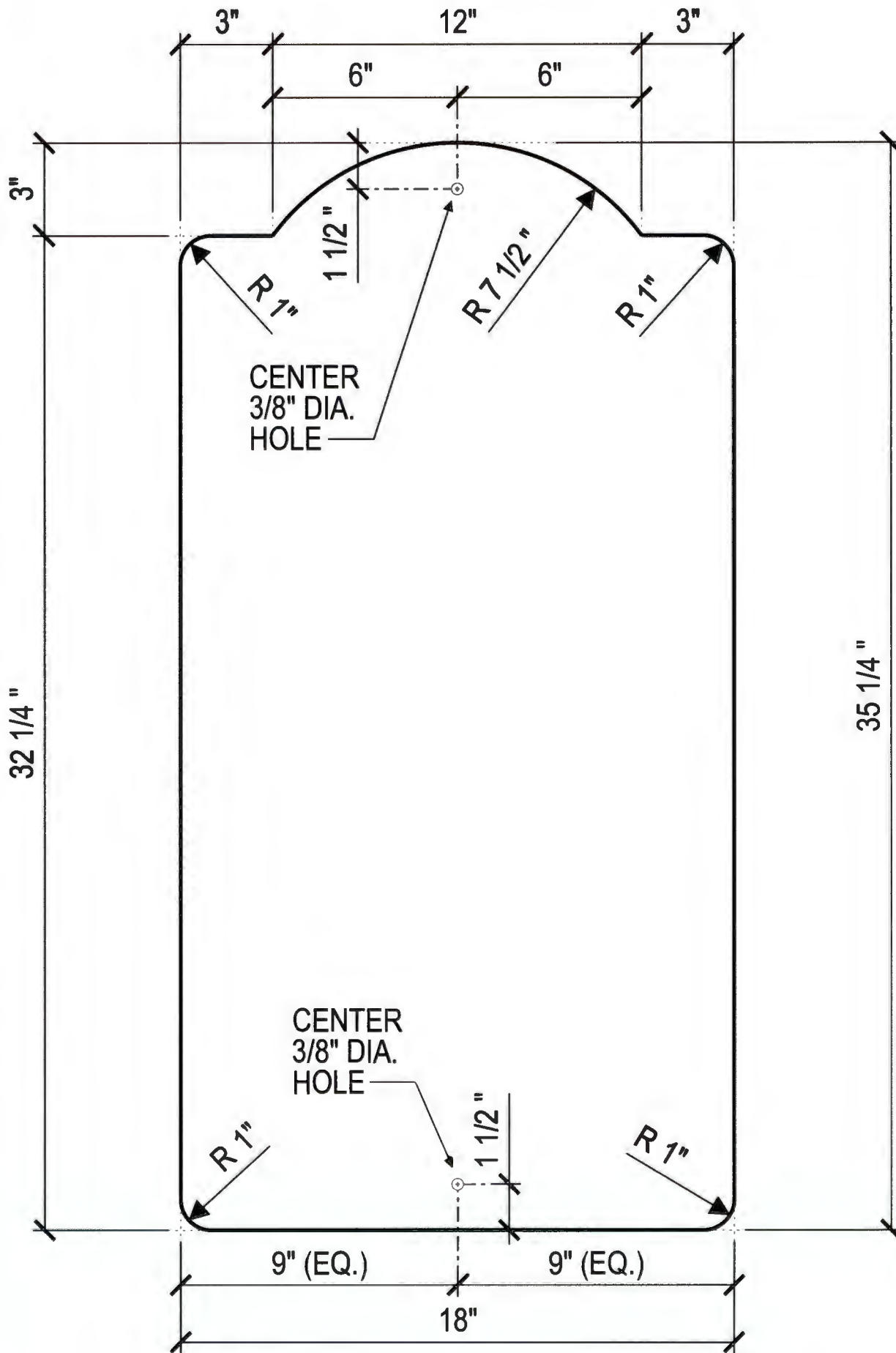
THANKS LOVIE!!!

**JEFF FENTON**  
**METICULOUS.TECH**  
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**DIMENSIONS OF FINISHED SIGN (METAL PLATE)**

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## Jeff Fenton

---

**From:** Fawn Fenton <ffenton@[REDACTED]architects.com>  
**Sent:** Monday, July 31, 2017 9:11 PM  
**To:** Jeff Fenton  
**Subject:** RE: Sign PDFs  
**Attachments:** Jeffy Sign\_Master.dgn

CAD File Master.....

**From:** Fawn Fenton  
**Sent:** Monday, July 31, 2017 8:06 PM  
**To:** 'Jeff Fenton'  
**Subject:** RE: Sign PDFs

Again...

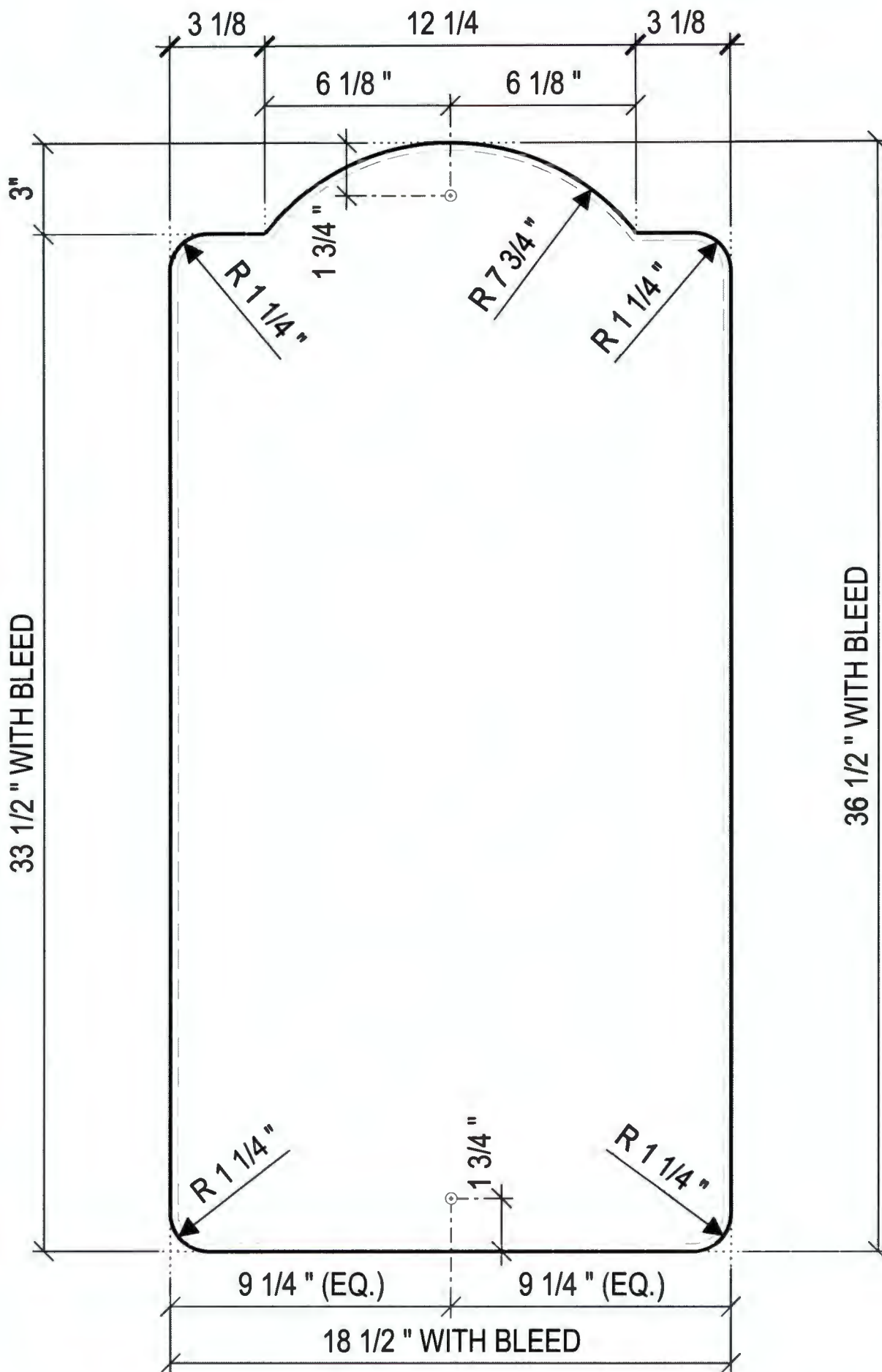
**From:** Fawn Fenton  
**Sent:** Monday, July 31, 2017 7:47 PM  
**To:** 'Jeff Fenton'  
**Subject:** RE: Sign PDFs

Revised again....

**From:** Fawn Fenton  
**Sent:** Monday, July 31, 2017 7:41 PM  
**To:** 'Jeff Fenton'  
**Subject:** Sign PDFs

Revised PDFs....

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**DIMENSIONS OF OVERPRINT COPY WITH 1/4" BLEED**



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## Jeff Fenton

---

**From:** Fawn Fenton <ffenton@[REDACTED]architects.com>  
**Sent:** Friday, July 28, 2017 3:30 PM  
**To:** Jeff Fenton  
**Subject:** RE: Sign!  
**Attachments:** Jeffy Sign2.dgn

Here's the Microstation file, just in case.

**From:** Jeff Fenton  
**Sent:** Friday, July 28, 2017 2:24 PM  
**To:** Fawn Fenton <ffenton@[REDACTED]architects.com>  
**Subject:** RE: Sign!

Cool! So that is the v2000, right?

Can you send me the microstation master just to have, or have changes been made in the AutoCad version, where it is now the working master?

**JEFF FENTON**  
**METICULOUS.TECH**  
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(615) 837-1302 FAX

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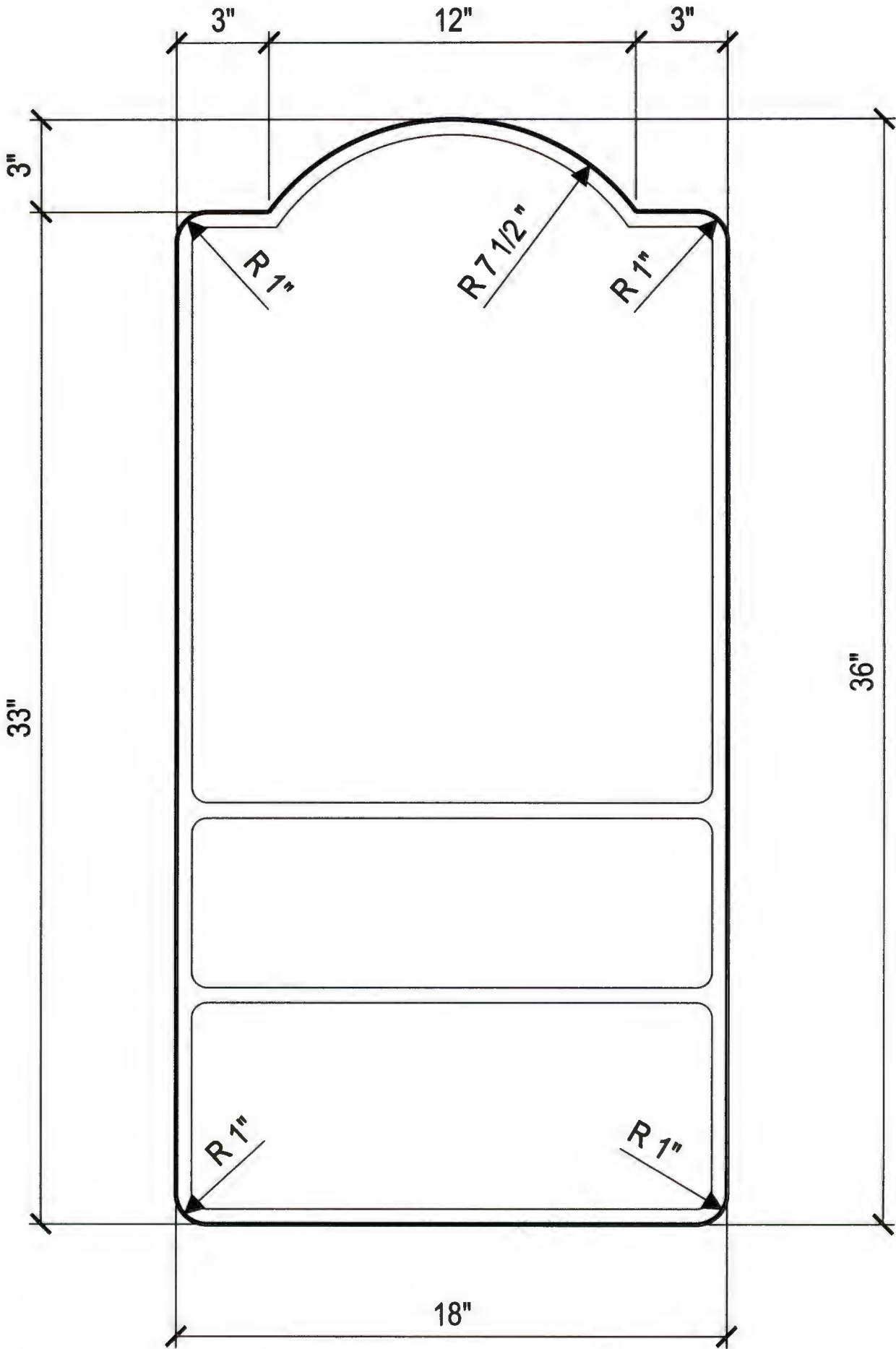
[SUBMIT OR RESPOND TO A SUPPORT TICKET HERE.](#)

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**From:** Fawn Fenton [[mailto:ffenton@\[REDACTED\]architects.com](mailto:ffenton@[REDACTED]architects.com)]  
**Sent:** Friday, July 28, 2017 2:21 PM  
**To:** Jeff Fenton  
**Subject:** Sign!

Whee.... Autocad finally came up!  
I changed the layer names to be descriptive of exactly what they are. I added a layer for the 1/4" outside bleed lines. Let me know if this isn't what you wanted.

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## Jeff Fenton

---

**From:** Fawn Fenton <ffenton@[REDACTED]architects.com>  
**Sent:** Wednesday, July 26, 2017 6:48 PM  
**To:** Jeff Fenton  
**Subject:** FW: Hikvision Video Surveillance | Scheduling a Lunch & Learn

Heh, FYI....

---

**From:** Zach.Geiser [mailto:Zach.Geiser@hikvision.com]  
**Sent:** Wednesday, July 26, 2017 12:27 PM  
**To:** Fawn Fenton <ffenton@[REDACTED]architects.com>  
**Subject:** RE: Hikvision Video Surveillance | Scheduling a Lunch & Learn

Hi Fawn,

Not a problem and thank you for the information. If the high school would like to look into Hikvision solutions, please feel free to pass my information along. On average we are able to save 30% on cost in comparison to our competitors, which is often key in being able to provide quality systems to education projects as they tend to have tighter budgets. We also have 3-5yr warranties, and have a product failure rate less than 1%.

If I can be of any help on future projects, please do not hesitate to reach out as I am happy to consult with you. I will also be sure to get you're A&E online portal registration approved so that you have access to the resources there.

Have a great day!

Best Regards,

*Zach Geiser*

Business Development Associate  
A&E Program, Mid-Atlantic  
NJ • PA • MD • DE • DC • VA • WV • TN • KY  
☎ 609.235.2624  
✉ [zach.geiser@hikvision.com](mailto:zach.geiser@hikvision.com)

**HIKVISION** U.S.A

[www.hikvision.com](http://www.hikvision.com)

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**[View and Download the 2017 Spring/Summer PQG](#)**

**[Read the cybersecurity interview conducted by SSI Magazine with the President of Hikvision, Jeffery He:](#)**

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**From:** Fawn Fenton [mailto:ffenton@[REDACTED]architects.com]  
**Sent:** Monday, July 24, 2017 6:04 PM  
**To:** Zach.Geiser  
**Subject:** RE: Hikvision Video Surveillance | Scheduling a Lunch & Learn

Hi Zack,

Thanks for following up. My apologies for not getting back to you earlier; I am working on a project where the client had decided they wanted a video surveillance system (at a new restroom/concessions/meeting building of a high school track and football field that we are building), and I had started researching possible systems; however, the school decided they will provide the security system under a separate contract themselves, so that is not in my scope of work now. I will certainly let you know if we come across another opportunity in the future; I have always heard good things about HikVision's systems.

We are a small architectural office, and we do not normally entertain lunch-n-learns; myself and Ken Adkisson are the only two licensed architects, and we typically pursue education on separate paths. In any case, I am glad to have your contact information now, and will keep you on file if we can use your services on a future project.

Best wishes,

Fawn Fenton  
[REDACTED] Architects, Inc.  
3322 West End Ave., Suite 103  
Nashville, Tennessee 37203  
(615) 298-9829  
ffenton@[REDACTED]architects.com

**From:** Zach.Geiser [mailto:Zach.Geiser@hikvision.com]  
**Sent:** Monday, July 24, 2017 3:11 PM  
**To:** Fawn Fenton <ffenton@[REDACTED]architects.com>  
**Subject:** Hikvision Video Surveillance | Scheduling a Lunch & Learn

Hi Fawn,

My name is Zach Geiser, and I am the Mid-Atlantic A&E Business Development Manager at Hikvision – world's largest video surveillance manufacturer.

I will be in the Tennessee region either the last week in August, or 1<sup>st</sup> week in September, and I am curious if might we be able to arrange a Lunch N' Learn with the electrical engineering, technology integration, or security design team sometime within that timeframe? Our objective would be to introduce Hikvision at a high level, review our latest products and technologies, as well review our recently implemented A&E program / online portal. I would greatly appreciate the opportunity, and would be great to learn how I can best be a resource to Adkisson& Assoc. on projects with a CCTV element moving forward. My goal is to make the design/specification process as easy as possible, as Hikvision would love to be considered as an approved equal manufacturer / the basis of on various projects whenever possible!

Thank you for your time & assistance - I look forward to your feedback and the prospect of meeting you in person! Feel free to let me know any available dates you might have from **August 28<sup>th</sup> to September 8<sup>th</sup>**, and I will be happy to pencil in the date and send over a meeting invitation.

Have a great day!

Best Regards,

NO TRESPASSING SIGNS Used by Attorney Virginia Story to Assassinate my Character in Court: DESIGNED primarily by WIFE at WORK!

**Zach Geiser**

Business Development Associate  
A&E Program, Mid-Atlantic  
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[Read the cybersecurity interview conducted by SSI Magazine with the President of Hikvision, Jeffery He:](#)

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# TNJ: On the Hill

The Tennessee Journal's updates on Tennessee government & politics

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## TN Supreme majority: Police can ignore 'no trespassing' signs

Published April 7, 2017 | By Tom Humphrey

News release from Administrative Office of the Courts

**Nashville, Tenn.** - A majority of the Supreme Court has ruled that, despite the existence of "no trespassing" signs near an unobstructed driveway, police officers' warrantless entry onto the defendant's property was constitutionally permissible.

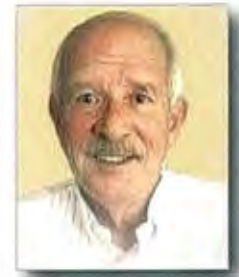
This matter arose when two investigators went to a different residence after receiving information regarding a pseudoephedrine purchase. One of the individuals at that residence informed the officers that he had given the pills to the defendant who lived next door and who was in the process of using them to produce methamphetamine. The officers then left that residence and drove down the defendant's unobstructed driveway and walked up to his front porch.

Upon smelling the odor of the manufacture of methamphetamine when the defendant opened his door, the officers requested consent to enter the residence. When the defendant denied consent, the officers forced entry and discovered an active methamphetamine lab, several inactive labs, various items commonly associated with methamphetamine manufacture, and several guns.

Prior to trial, the defendant filed a motion to suppress evidence obtained as a result of the warrantless entry onto his property, claiming that, because he had posted "No Trespassing" signs near his driveway, the officers' entry onto the property without a warrant violated both the United States and Tennessee Constitutions.

The trial court denied the defendant's motion to suppress. The defendant then proceeded to trial and was convicted by a jury of resisting arrest, promoting the manufacture of methamphetamine, initiating the manufacture of methamphetamine, and two counts of possession of a firearm during the commission of a dangerous felony.

The Supreme Court granted the defendant's application for permission to appeal from the Court of Criminal Appeal's decision affirming the trial



Tom Humphrey

### ABOUT THIS BLOG

Former Knoxville News Sentinel capitol bureau chief Tom Humphrey writes about Tennessee politics, government, and legislative news.

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court judgments in order to consider the legality of the police officers' warrantless entry onto the defendant's property.

In the majority opinion authored by Chief Justice Jeffrey S. Bivins, the Court determined that the defendant "failed to demonstrate that he had a reasonable expectation that ordinary citizens would not occasionally enter his property by walking or driving up his driveway and approaching his front door to talk with him 'for all the many reasons that people knock on front doors.'" Therefore, the Court held, the police officers' warrantless entry did not violate the United States or Tennessee Constitutions.

**Justice Sharon G. Lee** dissented from the Court's decision. She concluded that **the police had no right to ignore the multiple "No Trespassing" signs Mr. Christensen posted at the entrance to his driveway and enter the area around his home without first getting a warrant.** As a result, the search of Mr. Christensen's home violated his rights under the United States and Tennessee Constitutions. Justice Lee wrote that **citizens should not have to barricade their homes with a fence and a closed gate, perhaps even a locked gate, to protect their constitutional rights.** In Justice Lee's view, **the ability to prevent the public, including the police, from entering one's home and the land around it should be available to all citizens.**

Note: The majority ruling is [HERE](#). Justice Lee's dissenting opinion is [HERE](#).

votes to confirm Overbey as U.S. attorney for East TN

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- › TN unemployment rate falls to lowest level ever recorded (again)

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IN THE SUPREME COURT OF TENNESSEE  
AT JACKSON

June 2, 2016 Session Heard at Nashville

**STATE OF TENNESSEE v. JAMES ROBERT CHRISTENSEN, JR.**

Appeal by Permission from the Court of Criminal Appeals  
Circuit Court for Tipton County

No. 7799 Joseph H. Walker III, Judge

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**No. W2014-00931-SC-R11-CD – Filed April 7, 2017**

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**SHARON G. LEE, J., dissenting.**

The maxim, “every man’s house is his castle,” is deeply rooted in our jurisprudence. *Weeks v. United States*, 232 U.S. 383, 390 (1914). It applies whether the house is a castle or a cottage—a mansion or a mobile home.<sup>1</sup> The right to retreat into the privacy of one’s home and be free from governmental intrusion is a basic tenet of the Fourth Amendment to the United States Constitution and Article I, section 7 of the Tennessee Constitution. Our homes and adjoining land are protected spaces; governmental officers must have a warrant, absent special circumstances, to intrude onto this private area.

Today, the Court holds that the posting of multiple “No Trespassing” signs is not enough to protect our constitutional rights against a warrantless search and that it may take “a fence and a closed gate that physically block access to the front door of a house” to revoke the implied license to enter the land around a residence.

I disagree that we must barricade our homes with a fence and a closed gate, and perhaps even a locked gate, to protect our constitutional rights against warrantless searches. This option is rarely convenient, affordable, practical, or even possible. Revocation of implied consent to enter one’s property should be available to all—not just to those citizens who can afford to erect a fence and a gate and live in an area where this form of barricade is possible.

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<sup>1</sup> “The poorest man may in his cottage bid defiance to all the forces of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storm may enter; the rain may enter; but the King of England cannot enter—all his force dares not cross the threshold of the ruined tenement!” *Miller v. United States*, 357 U.S. 301, 307 (1958) (quoting remarks of William Pitt, Earl of Chatham, during 1763 debate in Parliament) (internal quotation marks omitted).



A search occurs when the government obtains information through an actual physical intrusion into a constitutionally protected area<sup>2</sup> or by violating a person's reasonable expectation of privacy.<sup>3</sup> By ignoring the "No Trespassing" signs, the officers physically intruded into Mr. Christensen's constitutionally protected area and violated his reasonable expectation of privacy.

### *Physical Intrusion*

A person's right to retreat into his home and be free from unreasonable government searches and seizures stands at the very core of the Fourth Amendment's protections.<sup>4</sup> "This right would be of little practical value if the State's agents could stand in a home's porch or side garden and trawl for evidence with impunity . . ." *Jardines*, 133 S. Ct. at 1414. The protections of the Fourth Amendment extend to the curtilage of a home. *Id.* (quoting *Oliver v. United States*, 466 U.S. 170, 180 (1984)).

Visitors have an implied license to enter another person's property and step onto the front porch. The Supreme Court has held that "the knocker on the front door is treated as an invitation or license to attempt an entry, justifying ingress to the home by solicitors, hawkers and peddlers of all kinds." *Id.* at 1415 (quoting *Breard v. Alexandria*, 341 U.S. 622, 626 (1951)).<sup>5</sup> This license also extends to law enforcement. *Id.* at 1416 ("[A] police officer not armed with a warrant may approach a home and knock, precisely because that is 'no more than any private citizen might do.'" (quoting *King*, 563 U.S. at 469)).

A citizen may revoke the public's implied license to enter his property. Police officers may lawfully "knock and talk" at a citizen's front door without having probable cause or reasonable suspicion, but *not* when the citizen has expressly revoked the implied

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<sup>2</sup> *Florida v. Jardines*, 133 S. Ct. 1409, 1414 (2013) (quoting *United States v. Jones*, 565 U.S. 400, 406 n.3 (2012)).

<sup>3</sup> *Katz v. United States*, 389 U.S. 347, 360 (1967) (Harlan, J., concurring); *see also Jardines*, 133 S. Ct. at 1417.

<sup>4</sup> *Silverman v. United States*, 365 U.S. 505, 511 (1961); *see also Kentucky v. King*, 563 U.S. 452, 474 (2011) (Ginsburg, J., dissenting) ("In no quarter does the Fourth Amendment apply with greater force than in our homes . . .").

<sup>5</sup> *See also State v. Cothran*, 115 S.W.3d 513, 522 (Tenn. Crim. App. 2003) ("A sidewalk or pathway leading from a public street to the front door of a residence represents an 'implied invitation' to the public to use the pathway in pursuing legitimate business or social interests with those inside the residence." (quoting *State v. Harris*, 919 S.W.2d 619, 623 (Tenn. Crim. App. 1995))).



license to enter. *State v. Blackwell*, No. E2009-00043-CCA-R3-CD, 2010 WL 454864, at \*7 (Tenn. Crim. App. Feb. 10, 2010).<sup>6</sup>

Mr. Christensen sufficiently revoked the public's implied license to enter his property by posting multiple "No Trespassing" and "Private Property" signs near the entrance to his driveway. A person need not have a law degree or an understanding of the various legal nuances of "trespass" discussed by the Court to know that these signs meant visitors were not welcome. Ms. Tammy Atkins, who visited homes in the area to share her faith, understood the meaning of the signs. She testified there were several "No Trespassing" signs near Mr. Christensen's driveway, and she did not go to houses that had "No Trespassing" signs.

Courts across the country have taken different approaches when determining whether an individual has revoked the public's implied license for entry onto his property. In Tennessee, the Court of Criminal Appeals has held that "No Trespassing" signs, even without physical barriers such as fences and gates, are sufficient to revoke the public's implied license to enter. *Blackwell*, 2010 WL 454864, at \*7 (acknowledging that a "knock and talk" is generally a lawful technique absent express orders against trespass, but the presence of a "No Trespassing" sign evidences a subjective expectation of privacy and a revocation of the implied license to enter the property); *State v. Draper*, No. E2011-01047-CCA-R3-CD, 2012 WL 1895869, at \*1, \*6 (Tenn. Crim. App. May 24, 2012) (quoting *Blackwell*, 2010 WL 454864, at \*7) (ruling a search was illegal where an officer bypassed the front door, entered the backyard, and knew that the owner had posted "No Trespassing" signs, which effectively revoked the implied invitation of the front door); *see also State v. Henry*, No. W2005-02890-CCA-R3-CD, 2007 WL 1094146, at \*5 (Tenn. Crim. App. Apr. 11, 2007) (holding a "knock and talk" permissible but noting that if there had been evidence that "No Trespassing" signs were present at the time of the search, the "knock and talk" would have been unacceptable).

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<sup>6</sup> *See also United States v. Taylor*, 458 F.3d 1201, 1204 (11th Cir. 2006) ("Absent express orders from the person in possession, an officer may 'walk up the steps and knock on the front door of any man's "castle," with the honest intent of asking questions of the occupant thereof.'" (quoting *Davis v. United States*, 327 F.2d 301, 303 (9th Cir. 1964))); *United States v. Cormier*, 220 F.3d 1103, 1109 (9th Cir. 2000) (quoting *Davis*, 327 F.2d at 303); *United States v. Taylor*, 90 F.3d 903, 909 (4th Cir. 1996) (quoting *United States v. Hersh*, 464 F.2d 228, 230 (9th Cir. 1972)); *United States v. Holmes*, 143 F. Supp. 3d 1252, 1259 (M.D. Fla. 2015) (holding that a person may revoke the implied license but must do so expressly (quoting *Taylor*, 458 F.3d at 1204)); *State v. Grice*, 767 S.E.2d 312, 319 (N.C. 2015) (finding that the implied license to approach the front doors of homes may be limited or rescinded by clear demonstrations by the homeowners (citing *Jardines*, 133 S. Ct. at 1415-16)), *cert. denied*, 135 S. Ct. 2846 (2015).



These Tennessee cases are consistent with decisions from other jurisdictions that have also determined that “No Trespassing” signs, without physical barriers, are sufficient for a person to preserve his privacy and revoke the implied license to enter his property. *See Powell v. State*, 120 So. 3d 577, 584 (Fla. Dist. Ct. App. 2013), *on reh’g* (Aug. 1, 2013) (stating that homeowners who post “No Trespassing” or “No Soliciting” signs effectively negate the license to enter the property and conduct a “knock and talk”); *State v. Roubique*, 421 So. 2d 859, 861–62 (La. 1982) (finding a “Private Road, No Trespassing” sign at the entrance to the driveway was ample evidence of the resident’s intent to preserve his privacy); *see also State v. Poulos*, 942 P.2d 901, 904 (Or. Ct. App. 1997) (indicating that “No Hunting or Trespassing Under Penalty of Law,” “KEEP OUT,” “Guard Dog on Duty,” and “STOP” signs posted along the driveway were sufficient to communicate the property owner’s intent to exclude the public even without a gate or barrier).<sup>7</sup>

In other jurisdictions, courts have held that the expectation of privacy and desire to restrict entry can be effectuated by either physical barriers *or* appropriate signage. *See People v. Scott*, 593 N.E.2d 1328, 1338 (N.Y. 1992) (holding that “where landowners fence or post ‘No Trespassing’ signs on their private property or, by some other means, indicate unmistakably that entry is not permitted, the expectation that their privacy rights will be respected and that they will be free from unwanted intrusions is reasonable”), *quoted in State v. Bullock*, 901 P.2d 61, 74 (Mont. 1995); *Dixson*, 766 P.2d at 1024 (stating that signs, such as “No Trespassing” signs, fences, or other similar measures indicate the property owner’s intent to protect privacy and exclude the public); *Cooksey v. State*, 350 S.W.3d 177, 184 (Tex. Ct. App. 2011) (stating that a homeowner may manifest an expectation of privacy, restrict access to pathways leading to the house, and revoke the implied license by erecting a locked gate or by posting “No Trespassing” signs); *see also State v. Hubbel*, 951 P.2d 971, 977 (Mont. 1997) (holding that the property owner had no reasonable expectation of privacy in the property leading to the front door where the property owner did not erect a fence, place a gate, plant shrubs or

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<sup>7</sup> Under this approach, signs may be sufficient to revoke the implied license, but they must be appropriately worded and placed. *See Holmes*, 143 F. Supp. 3d at 1262 (noting that other courts have required that the revocation of the implied license be accomplished by clear demonstrations that are unambiguous and obvious to the casual visitor); *State v. Kapelle*, 344 P.3d 901, 905 (Idaho Ct. App. 2014) (noting that where a “No Trespassing” sign is ambiguous and not clearly posted, the implied license is not revoked); *State v. Howard*, 315 P.3d 854, 860 (Idaho Ct. App. 2013) (finding that the implied license had not been revoked because the “No Trespassing” sign was very small and not easily noticed, was not posted over or next to the entrance to the curtilage, and was over a mile from the actual residence); *State v. Dixson*, 766 P.2d 1015, 1024 (Or. 1988) (*en banc*) (finding that “No Hunting” signs were insufficient to communicate to law enforcement an intent to exclude non-hunting access).

bushes, or post “No Trespassing” or other signs), *as modified on denial of reh’g* (Feb. 3, 1998).

Another approach taken by courts in other jurisdictions is to determine whether the public’s implied license to enter has been revoked by considering the totality of the circumstances, with a “No Trespassing” or similar signage a factor to be considered. *See Powell*, 120 So. 3d at 584 (finding that the existence and extent of a license to conduct a “knock and talk” depends on the circumstances); *Jones v. State*, 943 A.2d 1, 12 (Md. Ct. Spec. App. 2008) (finding that “No Trespassing” signs may be considered as part of the totality of the circumstances); *State v. Kuchera*, Nos. 27375-6-II, 27376-4-II, 2002 WL 31439839, at \*5 (Wash. Ct. App. Nov. 1, 2002) (holding that the presence of “No Trespassing” signs “is not dispositive of the establishment of privacy, but is a factor to be considered ‘in conjunction with other manifestations of privacy’” (quoting *State v. Johnson*, 879 P.2d 984, 992 (Wash. Ct. App. 1994))).

Under any of these approaches and particularly under existing Tennessee law, Mr. Christensen revoked the public’s implied license to enter his property. Near the entrance to his driveway, he posted two signs that said “PRIVATE PROPERTY, NO TRESPASSING” and one sign that said “NO TRESPASSING, HUNTING OR FISHING, VIOLATORS PROSECUTED, UNDER PENALTY OF LAW” and listed his phone number. These signs were clearly visible to anyone approaching his driveway from the main road. Even in the absence of a fence or other physical barrier, the signs effectively communicated Mr. Christensen’s intent to protect his privacy and exclude others from approaching his home. As the Idaho Supreme Court has said, “[C]itizens, especially those in rural areas, should not have to convert the areas around their homes into the modern equivalent of a medieval fortress in order to prevent uninvited entry by the public, including police officers.” *State v. Christensen*, 953 P.2d 583, 587 (Idaho 1998).

The Court appears to adopt the totality of the circumstances approach but then determines that an objectively reasonable person faced with a “No Trespassing” sign would not conclude that entry is barred. I disagree. Common sense tells us that “No Trespassing” signs, depending on the circumstances, can communicate the property owner’s desire not to have members of the public on his land.<sup>8</sup> Moreover, a “No

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<sup>8</sup> *Cf. Madrugá v. County of Riverside*, 431 F. Supp. 2d 1049, 1061 (C.D. Cal. 2005) (noting that even if signs do not contain the words “No Trespassing” or “Keep Away” “[c]ommon sense and common experiences teaches us that such ‘WARNING Guard Dog’ signs are placed to dissuade people, be they intruders, sales representatives, delivery agents, or even police officers, from approaching the home. . . . [A]nyone seeing such a sign would understand that the homeowner seeks to exclude them from entering the area beyond the sign.”).



Trespassing” sign should be of particular significance to law enforcement officers in communicating that they may need to obtain a warrant before entering the property.

“No Trespassing” signs factor into criminal trespass cases. In Tennessee, it is a crime to enter or remain on property without the owner’s consent. Tenn. Code Ann. § 39-14-405(a). A defense to this crime is that the alleged trespasser reasonably believed that he had the owner’s consent to enter the property. *Id.* § 39-14-405(b)(1). However, this defense is not available if the property owner has posted signs “visible at all major points of ingress to the property . . . and the signs are reasonably likely to come to the attention of a person entering the property.” *Id.* § 39-14-405(c).

Mr. Christensen did not just post one “No Trespassing” sign—he posted multiple signs near the entrance to his property that were clear, unambiguous, and obvious to anyone approaching his driveway. These signs adequately communicated Mr. Christensen’s intent to revoke the implied license to enter his property. Under the facts of this case, law enforcement officers should have heeded the signs and taken the appropriate steps to obtain a search warrant.

#### *Expectation of Privacy*

Without a physical intrusion, a search can occur when the government violates a subjective expectation of privacy that society is prepared to recognize as reasonable. *Katz*, 389 U.S. at 361 (Harlan, J., concurring).<sup>9</sup> To determine whether a search has occurred under the *Katz* analysis, courts consider whether the individual had an actual, subjective expectation of privacy and whether society will view the individual’s subjective expectation of privacy as reasonable and justifiable under the circumstances. *State v. Talley*, 307 S.W.3d 723, 730 (Tenn. 2010) (quoting *State v. Munn*, 56 S.W.3d 486, 494 (Tenn. 2001)).

In deciding whether Mr. Christensen had an actual, subjective expectation of privacy, we apply a multi-factor test that inquires into whether the defendant owns the property seized; has a possessory interest in the thing seized and the place searched; has the right to exclude others from that place; has shown a subjective expectation that the

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<sup>9</sup> See also *Jardines*, 133 S. Ct. at 1417 (“The *Katz* reasonable-expectations test ‘has been *added to*, not *substituted for*,’ the traditional property-based understanding of the Fourth Amendment, and so is unnecessary to consider when the government gains evidence by physically intruding on constitutionally protected areas.”); *Jones*, 565 U.S. at 407 (“*Katz* did not erode the principle ‘that, when the Government *does* engage in physical intrusion of a constitutionally protected area in order to obtain information, that intrusion may constitute a violation of the Fourth Amendment.’” (quoting *United States v. Knotts*, 460 U.S. 276, 286 (1983) (Brennan, J., concurring))).



place would remain free from governmental invasion; took normal precautions to maintain his privacy; and was legitimately on the premises. *State v. Ross*, 49 S.W.3d 833, 841 (Tenn. 2001) (quoting *United States v. Haydel*, 649 F.2d 1152, 1154–55 (5th Cir. 1981)); see also *Talley*, 307 S.W.3d at 730–31.

Under this test, Mr. Christensen had an actual, subjective expectation of privacy in his property. He owned the property, had a possessory interest in the place searched, had the right to exclude others from the property, showed a legitimate interest in keeping others off his property, took precautions to maintain his privacy by posting multiple “No Trespassing” signs, and was legitimately on the premises.

To determine whether society views Mr. Christensen’s subjective expectation of privacy as reasonable and justifiable, we consider factors such as the “intention of the Framers of the Fourth Amendment, the uses to which the individual has put a location, and our societal understanding that certain areas deserve the most scrupulous protection from government invasion.” *Oliver*, 466 U.S. at 177–78 (citations omitted).

Privacy expectations are heightened in the home and the adjacent area. See *Dow Chem. Co. v. United States*, 476 U.S. 227, 237 n.4 (1986). The Court in *Katz* held that “[w]hat a person knowingly exposes to the public, even in his own home or office, is not a subject of Fourth Amendment protection. But *what he seeks to preserve as private, even in an area accessible to the public, may be constitutionally protected.*” *Katz*, 389 U.S. at 351 (emphases added) (citations omitted).

Mr. Christensen did not expose his home and the adjoining property to the public; instead, he tried to protect his property by posting multiple signs clearly communicating that visitors were not welcome. If multiple “No Trespassing” signs are not sufficient to convey a property owner’s intent to exclude the public from his property, then the constitutional protections against unreasonable searches may be beyond the grasp of ordinary citizens for whom the posting of “No Trespassing” signs is the only feasible option.

Mr. Christensen’s expectation of privacy by the posting of multiple “No Trespassing” signs was reasonable and justifiable under the circumstances. Police officers violated Mr. Christensen’s reasonable expectation of privacy when they entered his land without a warrant despite the “No Trespassing” signs.

### **Conclusion**

For the reasons stated, law enforcement officers conducted an illegal search of Mr. Christensen’s property, and the evidence obtained from the search should be suppressed.

NO TRESPASSING SIGNS Used by Attorney Virginia Story to Assassinate my Character in Court: DESIGNED primarily by WIFE at WORK!

The Court's decision that multiple "No Trespassing" signs are not sufficient to revoke the implied license for entry denies ordinary citizens the protections of the United States and the Tennessee Constitutions against warrantless searches. The result is that only citizens wealthy enough and situated in an area where they can "convert the areas around their homes into the modern equivalent of a medieval fortress," *Christensen*, 953 P.2d at 587, may protect themselves from governmental intrusion and invasion of privacy.

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SHARON G. LEE, JUSTICE



ATTACHMENT 4 - FORM MOTION FOR EXTENSION

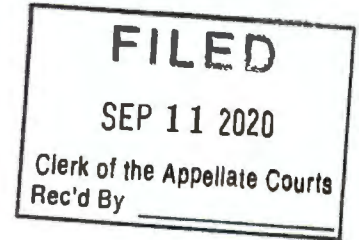
IN THE COURT OF APPEALS COURT FOR THE STATE OF TENNESSEE  
[Insert which appellate court]

MIDDLE DIVISION SECTION AT NASHVILLE  
[Insert which Grand Division] [Insert which city]

JEFFREY RYAN FENTON, )  
[Insert Name of Party] )  
Plaintiff/ Appellant, )  
[Insert Appellant or Appellee] )  
Appeal No. M2019-02059-COA-R3-CV )  
\_\_\_\_\_)  
[Insert Appeal No.] )

v. )

FAWN [REDACTED] FENTON, )  
[Insert Name of Party] )  
Defendant/ Appellee, )  
[Insert Appellant or Appellee] )



Motion for Extension of Time for Filing Brief

Appellant requests 122 days extension of time within which to file a  
[Insert Appellant/Appellee]

brief from the original due date of 7/15/2020, in this case.

This is Movant's: \_\_\_ 1<sup>st</sup> : X 2<sup>nd</sup> : \_\_\_ (Other) request for extension in this case.

Opposing Counsel: \_\_\_ Does Not object to this motion.  
[check one]

\_\_\_ Objects

\_\_\_ Called, unable to reach and left message

**Reason (Good Cause) for Extension:**

I have and continue to exert my honestly most vigorous efforts to be heard by this Court, despite the enormous challenges which it presents me. As with most things in my life, due to my disabilities, I have significantly underestimated the amount of TIME and work which each communication with the Court has and will likely take me.

For the past month, I have steadfastly worked upon writing only FOUR MOTIONS (alternately), ONE Motion to Supplement the Record, and ONE Motion to Correct the Record. Repeatedly, day after day, with each document becoming 20 - 40 pages long every time, while yet remaining unfinished! My goal is to explain briefly (1) why the content wasn't originally included or needs to be corrected, in the Record (2) explain the relevance and importance of the content, (3) and why

the content is “necessary to convey a fair, accurate and complete account of what transpired in the trial court with respect to those issues that are the bases of (my) appeal.” In accordance with T.R.A.P. RULE 24(g).

I try DAY AFTER DAY, to start with a blank document, to keep this down to a few pages, but I just cannot do it. I have so much pent-up emotion about how unfairly I believe that I was treated. No matter how many times I re-write this, without professional legal help, I simply have no idea how much “justification” is required, to substantiate my requests. Meanwhile, I’m seriously behind schedule, feeling the urgency and pressure of the upcoming deadlines.

I’ve been working on this for over 30 hours straight right now, in hopes of getting something of meaning into the court before the weekend, where if I can't confirm an extension first, I'll need to stay awake for most of the weekend, drafting the brief however I can figure to cite it, adding in the necessary content to have any chance at a fair trial, as almost all of Ms. Story's NARRATIVE was falsely presented from the start, I believe to assassinate my character in the eyes of the court, before I ever even entered a court room.

If your Honor would PLEASE simply LISTEN to the attached AUDIO from my 8/29/2019 court hearing (M2019-02059 Transcript of Evidence-2b (audio).mp3) with Chancellor Michael W. Binkley and Ms. Virginia Lee Story, while "FACT CHECKING" what they BOTH SAID, with the "2019-08-29 FACT CHECKING PROOF OF FALSE TESTIMONY IN WILLIAMSON CHANCERY TO HUSBANDS TREMENDOUSLY UNFAIR LOSS (compare with audio).pdf" attached, I'm hopeful that it will be clear that I did NOT receive a FAIR and UNBIASED TRIAL!

If you can derive that, then PLEASE provide me with an extension ALONG with COUNSEL so that I will have SOME OPPORTUNITY to obtain some realistic CURE from the parties involved. My ex-wife is destroyed right now, financially, emotionally, bankrupt, unemployed, depressed, hopeless, I fear for her safety from herself, having been suicidal after her previous divorce. I wish NOT to harm her in any way! I further wish to PROTECT her from Ms. Story throwing my ex-wife "under the bus", when the TRUTH comes out about Ms. Story's FALSE testimony in my case.

I try every day, but it is one thing to need to refute a few false claims, while I am up against an entire SYSTEM maliciously twisted by Virginia Lee Story to cause me as MUCH HARM AS IS IMAGINABLY POSSIBLE!

I can keep writing frantically every day... trying to send in more EVIDENCE... I literally have probably a THOUSAND pages... recorded phone calls, all SORTS.. but I am so OVERWHELMED! I can't realistically REACH A CURE without SOME LEGAL HELP, which I believe that the extreme nature of the situation, and the tremendous loss which I suffered, I don't see ANY way for me to prevail against the "bad actors" in my forced sale/default op/default divorce, without some substantial legal HELP!

Even if I do all the FOOT WORK, and I just am awarded TIME and SOMEONE whom I can consistently counsel with over the phone, who can tell me HOW to seek awards against all the parties involved. That would be tremendously helpful!

PLEASE ADD the attached TRANSCRIPTS, both audio and print, from the 2019-08-29 Hearing, as “TRANSCRIPTS OF EVIDENCE” for my Record!

Please also add to my Record the “2019-08-29 FACT CHECKING PROOF OF FALSE TESTIMONY IN WILLIAMSON CHANCERY TO HUSBANDS TREMENDOUSLY UNFAIR



LOSS (compare with audio).pdf”, as I believe that is a quick and easy “FACT CHECKER”, without which, it sounds like the NARRATIVE in court might actually be ACCURATE, however I don’t believe that it is!

Please also add to my Record the “FAWNS NOT A VICTIM.pdf” It merely helps CLEARLY EXPOSE the fact that my OP was never NEEDED to protect my ex-wife! Ms. Fenton is a FIREARMS EXPERT, all the GUNS in the photos are HERS, the 5,000 rounds of ammo are all HERS, the 2 assault rifles are HERS, the photos in the Nevada Desert shooting are of HER! This OP was merely a tactic to TRAP ME while they pounced on me! Even if that hasn’t been proven to your satisfaction, please attach this to my Record, that I may better argue this later in my brief.

I don’t understand how to fill in the number of days which I’m requesting an additional extension for, since it refers back to the original date. My intent herein, is to REQUEST 60-DAYS MORE PLEASE!

Please don’t add my two “UNFINISHED DRAFTS” yet, I plan to finish those first. I just wanted to exhibit that I am TRYING, and they are both factual to my knowledge, just not finished and “polished” yet.

Thank you for any HELP which you can provide!

Jeffrey Ryan Fenton

### Declaration

I, JEFFREY RYAN FENTON, declare under penalty of perjury that the foregoing is true  
[Insert Appellant/Appellee or counsel]  
and correct to the best of my knowledge.



[Signature of Appellant/Appellee or counsel]

JEFFREY RYAN FENTON (pro se)  
[Print Name of Appellant/Appellee or counsel]



**FILED**

09/15/2020

Clerk of the  
Appellate Courts

IN THE COURT OF APPEALS OF TENNESSEE  
AT NASHVILLE

**FAWN [REDACTED] FENTON v. JEFFREY RYAN FENTON**

**Chancery Court for Williamson County  
No. 48419B**

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**No. M2019-02059-COA-R3-CV**

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**ORDER**

The appellant has moved for an additional sixty day extension of time within which to file his brief. We find good cause to grant the appellant an additional thirty days.

The appellant also requests appointment of counsel. With the exception of a few specific types of proceedings, primarily those involving the termination of parental rights, there is no absolute right to counsel in a civil case. *Bell v. Todd* 206 S.W.3d 86, 92 (Tenn. Ct. App. 2005); *Memphis Bd. of Realtors v. Cohen*, 786 S.W.2d 951, 953 (Tenn. Ct. App. 1989). Unlike indigent defendants in criminal cases, indigent civil litigants have neither the constitutional nor the statutory right to appointed counsel. *Hessmer v. Miranda*, 138 S.W.3d 241, 245 (Tenn. Ct. App. 2003). Thus, we deny the request for appointment of counsel.

It is, therefore, ordered that the time for filing the appellant's brief is extended through October 15, 2020. No further extensions will be granted absent a showing of exigent circumstances. The request for appointment of counsel is denied.

PER CURIAM

*No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.*

UNIVERSAL DECLARATION OF HUMAN RIGHTS (1948, art. 5)  
INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (1976, art. 7)

*[T]he term “torture” means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.*

CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (1984, art. 1, para.1)

Petition details Comments Updates

🔒 Petition Closed



## STOP false allegations to get Order of Protections in Tennessee & hold false accusers accountable!

This petition had 1,837 supporters



**B K** started this petition to Senator Bob Corker and [5 others](#)

I hope of bringing to your attention a dire misjustice that is occurring in our state as well as many others across the US. Laws enacted to protect the victims of the vile crime of domestic violence are being misused by both citizens as well as law enforcement, and in this process innocent men & women's lives are being destroyed. In Tennessee, the burden of proof is being thrown out and the simple word of the accuser is being taken without question, **without the accused even being allowed to speak**. True victims of domestic violence find this to be deplorable. Not only can a woman or man falsely accuse a person of domestic violence without fear of consequence, but the accused person has no voice against the accuser. The accuser can be a mentally disturbed individual using such laws to enact her/his revenge against a man or woman who simply does not want to be in a relationship anymore, and the *accuser's word is automatically taken, even when no evidence is in place*. The man or woman in such cases is automatically arrested, forced to leave their own home, injunctions are automatically set in place, and even if he



or she is able to prove their innocence in court they have lost months of their life due to the fact that the accuser cried wolf. Worse yet are the cases of these innocent people who are poor and have no means to hire private attorneys. Their public defenders assume they are guilty and therefore do only the bare necessities to be their legal voice. We are *not in any way asking for a revocation of the laws that protect true victims of domestic violence*. Our wish is that these laws be revisited and indications made to allow for criminal and civil prosecution when someone, whether male or female, has misused these laws in a vindictive and cunning way. We also would ask that law enforcement officers, public attorneys, and judges be forced to recognize the precept that the accused is innocent until proven guilty.

***IT'S TIME FOR THIS TO STOP AND MAKE THE FALSE ACCUSERS PAY FOR THEIR ACTIONS!***

## Reasons for signing



**Renee Roekl** · 7 years ago

I'm appalled at how easy they make these things to get. False accusers need to be punished severely.

♡ 241 · Report



**Anonymous Friend** · 7 years ago

I've known Betty, the woman who started this petition, for at least 18 years. We use to work together and even though we don't talk as often as we should we've remained friends through the years. I want everyone to know she has always been a sweet and very kind person. She especially has a soft spot for animals. In all the years I've known her she's been a business owner and hard worker. When she owned The Dam Store and the little market on the Parkway she was always helping people out in the community, including my family. I feel blessed to know Betty, as do many others I've talked to. I also remember her telling me years ago, how she would love to leave Ned and live by herself with her birds. I also know Ned. I work for Sevier County and she told me what was going on the day before all this nonsense happened. When she told me about what was going on I was blown away. Goes to show, no matter how long you married or live with someone, you don't ever really know them. Mr. Crowder and others at the jail knew this

was nonsense but said Ned was very convincing when he swore his statement to the judge and that's why this temporary order was granted. She was at the jail the day before to tell them Ned was getting ready to file an order of protection or restraining order on her. She was asked if she wanted to see the judge and swear out an order against Ned. Against her better judgement she didn't file one first. She told me at the time she felt she had no reason to and didn't want to "just file a report" for nothing.







I agree whole heartedly that men and women filing false statements to get these order of protections need to be prosecuted. I'm all for making the first example out of Ned Lines. He weighs 200+ pounds Betty is a petite 110 pounds, I ask you who's going to cause who "bodily harm".

♡ 199 · Report

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### Decision makers

-  **Bob Corker**  
Senator
-  **Dale Carr**  
State Representative
-  **Bill Lee**  
Governor
-  **Doug Overbey**  
State Senator
-  **James Dunn**  
District Attorney General
-  **Robert E. Cooper Jr**  
Attorney General

## Tenn. Code § 39-16-403

### Section 39-16-403 - Official oppression

**(a)** A public servant acting under color of office or employment commits an offense who:

**(1)** Intentionally subjects another to mistreatment or to arrest, detention, stop, frisk, halt, search, seizure, dispossession, assessment or lien when the public servant knows the conduct is unlawful; or

**(2)** Intentionally denies or impedes another in the exercise or enjoyment of any right, privilege, power or immunity, when the public servant knows the conduct is unlawful.

**(b)** For purposes of this section, a public servant acts under color of office or employment if the public servant acts, or purports to act, in an official capacity or takes advantage of the actual or purported capacity.

**(c)** An offense under this section is a Class E felony.

**(d)** Charges for official oppression may be brought only by indictment, presentment or criminal information; provided, that nothing in this section shall deny a person from pursuing other criminal charges by affidavit of complaint.

*T.C.A. § 39-16-403*

Acts 1989, ch. 591, § 1; 1990, ch. 980, § 11.





## 18 U.S.C. § 1951

### Section 1951 - Interference with commerce by threats or violence

(a) Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both.

(b) As used in this section-

(1) The term "robbery" means the unlawful taking or obtaining of personal property from the person or in the presence of another, against his will, by means of actual or threatened force, or violence, or fear of injury, immediate or future, to his person or property, or property in his custody or possession, or the person or property of a relative or member of his family or of anyone in his company at the time of the taking or obtaining.

(2) The term "extortion" means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.

(3) The term "commerce" means commerce within the District of Columbia, or any Territory or Possession of the United States; all commerce between any point in a State, Territory, Possession, or the District of Columbia and any point outside thereof; all commerce between points within the same State through any place outside such State; and all other commerce over which the United States has jurisdiction.

(c) This section shall not be construed to repeal, modify or affect section 17 of Title 15, sections 52, 101-115, 151-166 of Title 29 or sections 151-188 of Title 45.

*18 U.S.C. § 1951*

June 25, 1948, ch. 645, 62 Stat. 793; Pub. L. 103-322, title XXXIII, §330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.

*HISTORICAL AND REVISION NOTES*Based on title 18, U.S.C., 1940 ed., §§420a-420e-1 (June 18, 1934, ch. 569, §§1-6, 48 Stat. 979, 980; July 3, 1946, ch. 537, 60 Stat. 420).Section consolidates sections 420a to 420e-1 of Title 18, U.S.C., 1940 ed., with changes in phraseology and arrangement necessary to effect consolidation.Provisions designating offense as felony were omitted as unnecessary in view of definitive section 1 of this title. (See reviser's note under section 550 of this title.) Subsection (c) of the revised section is derived from title II of the 1946 amendment. It substitutes references to specific sections of the United States Code, 1940 ed., in place of references to numerous acts of Congress, in conformity to the style of the revision bill. Subsection (c) as rephrased will preclude any construction of implied repeal of the specified acts of Congress codified in the sections enumerated.The words "attempts or conspires so to do" were substituted for sections 3 and 4 of the 1946 act, omitting as unnecessary the words "participates in an attempt" and the words "or acts in concert with another or with others", in view of section 2 of this title which makes any person who participates in an unlawful



## AMENDMENTS

2008—Subsecs. (e) to (h). Pub. L. 110-325 added subsecs. (e) to (h).

## EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-325 effective Jan. 1, 2009, see section 8 of Pub. L. 110-325, set out as a note under section 705 of Title 29, Labor.

**§ 12202. State immunity**

A State shall not be immune under the eleventh amendment to the Constitution of the United States from an action in<sup>1</sup> Federal or State court of competent jurisdiction for a violation of this chapter. In any action against a State for a violation of the requirements of this chapter, remedies (including remedies both at law and in equity) are available for such a violation to the same extent as such remedies are available for such a violation in an action against any public or private entity other than a State.

(Pub. L. 101-336, title V, §502, July 26, 1990, 104 Stat. 370.)

## REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 101-336, July 26, 1990, 104 Stat. 327, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 12101 of this title and Tables.

**§ 12203. Prohibition against retaliation and coercion****(a) Retaliation**

No person shall discriminate against any individual because such individual has opposed any act or practice made unlawful by this chapter or because such individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this chapter.

**(b) Interference, coercion, or intimidation**

It shall be unlawful to coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by this chapter.

**(c) Remedies and procedures**

The remedies and procedures available under sections 12117, 12133, and 12188 of this title shall be available to aggrieved persons for violations of subsections (a) and (b), with respect to subchapter I, subchapter II and subchapter III, respectively.

(Pub. L. 101-336, title V, §503, July 26, 1990, 104 Stat. 370.)

## REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b), was in the original “this Act”, meaning Pub. L. 101-336, July 26, 1990, 104 Stat. 327, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 12101 of this title and Tables.

<sup>1</sup>So in original. Probably should be “in a”.

## CONSTITUTIONALITY

For constitutionality of section 503 of Pub. L. 101-336, see Congressional Research Service, *The Constitution of the United States of America: Analysis and Interpretation*, Appendix I, Acts of Congress Held Unconstitutional in Whole or in Part by the Supreme Court of the United States.

**§ 12204. Regulations by Architectural and Transportation Barriers Compliance Board****(a) Issuance of guidelines**

Not later than 9 months after July 26, 1990, the Architectural and Transportation Barriers Compliance Board shall issue minimum guidelines that shall supplement the existing Minimum Guidelines and Requirements for Accessible Design for purposes of subchapters II and III of this chapter.

**(b) Contents of guidelines**

The supplemental guidelines issued under subsection (a) shall establish additional requirements, consistent with this chapter, to ensure that buildings, facilities, rail passenger cars, and vehicles are accessible, in terms of architecture and design, transportation, and communication, to individuals with disabilities.

**(c) Qualified historic properties****(1) In general**

The supplemental guidelines issued under subsection (a) shall include procedures and requirements for alterations that will threaten or destroy the historic significance of qualified historic buildings and facilities as defined in 4.1.7(1)(a) of the Uniform Federal Accessibility Standards.

**(2) Sites eligible for listing in National Register**

With respect to alterations of buildings or facilities that are eligible for listing in the National Register of Historic Places under division A of subtitle III of title 54, the guidelines described in paragraph (1) shall, at a minimum, maintain the procedures and requirements established in 4.1.7(1) and (2) of the Uniform Federal Accessibility Standards.

**(3) Other sites**

With respect to alterations of buildings or facilities designated as historic under State or local law, the guidelines described in paragraph (1) shall establish procedures equivalent to those established by 4.1.7(1)(b) and (c) of the Uniform Federal Accessibility Standards, and shall require, at a minimum, compliance with the requirements established in 4.1.7(2) of such standards.

(Pub. L. 101-336, title V, §504, July 26, 1990, 104 Stat. 370; Pub. L. 113-287, §5(k)(5), Dec. 19, 2014, 128 Stat. 3270.)

## REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b), was in the original “this Act”, meaning Pub. L. 101-336, July 26, 1990, 104 Stat. 327, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 12101 of this title and Tables.

## AMENDMENTS

2014—Subsec. (c)(2). Pub. L. 113-287 substituted “division A of subtitle III of title 54” for “the National Historic Preservation Act (16 U.S.C. 470 et seq.)”.

**FILED - LN**

January 19, 2024 4:49 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY:            /            SCANNED BY:            *1/22/24*

**UNITED STATES DISTRICT COURT FO  
WESTERN DISTRICT OF MICHIGAN**

**JEFFREY RYAN FENTON,**

**PLAINTIFF**

**v.**

**VIRGINIA LEE STORY ET AL.,**

**DEFENDANTS**

**CASE NO. 1:23-cv-1097**

**DECLARATION OF MARSHA ANN FENTON REGARDING SON  
JEFFREY RYAN FENTON AND TENNESSEE LEGAL PROCEEDINGS**

I, Marsha Ann Fenton, declare under oath as follows:

1. I am a citizen of the United States of America and live in Genessee County Michigan in the same small town in which I was born.
2. Jeffrey Ryan Fenton is my only son. He is a man of integrity whose word is his promise, and he keeps his promises more than most people that I have known.
3. For privacy I'm not listing my home address here, since court records are public, and we have had so much trouble with the parties in this lawsuit, from Tennessee.
4. I am an active registered voter in Genessee County and have been for much of my life. Both the state of Michigan and the federal government have my home address on record.
5. Jeffrey has lived in the basement of my tiny home inherited from my parents with assessed value of less than \$50,000 for the past four years, since his house in Tennessee was stolen



Initials: MF



from him.

6. I loaned Jeffrey money toward his \$4,500 retainer with attorney Brittney Gates, specifically to try to save his home, but attorney Gates repeatedly put him off and ultimately failed to protect his interests.

7. Day after day, Jeffrey told me, attorney Gates promised to send him a draft of his “divorce answer and counter complaint”, for him to review and comment on. Unfortunately, Jeffrey says that he has never seen or received a single draft of any such document from Ms. Gates.

8. Jeffrey said that he provided attorney Gates<sup>1</sup> with a lot of evidence that the charges against him were false and fraudulent. Maybe attorney Gates was overwhelmed by the sheer volume of claims which she needed to respond to, in an attempt to regain a level playing field.

9. In an emergency, I loaned him \$5,000 more to hire attorneys Mitchell Miller and Marty Duke a mere three days<sup>2</sup> before his hearing in chancery court—not nearly enough time to fully review all the facts and evidence.

10. The law firm for which attorney Mitchell Miller worked tried to insist that I sign an open-ended personal guarantor for Jeffrey’s legal fees because he told me that his attorneys feared he would become essentially “uncollectible” if the court decided to take his home, which attorney Story had asked and which happened.

11. I’m a retired pediatric intensive care nurse and can’t afford to guarantee an open-ended debt to attorneys, billing at hundreds of dollars per hour. I didn’t feel safe with such a

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<sup>1</sup> [https://rico.jeffenton.com/evidence/2019-07-26\\_attorney-gates-failed-to-perform.pdf](https://rico.jeffenton.com/evidence/2019-07-26_attorney-gates-failed-to-perform.pdf)

<sup>2</sup> This counts business days only, there was one weekend.

proposal regardless.

12. Instead, Jeffrey told me that he promised them that once he ran out of money to pay them, that he would switch to representing himself *pro se*, even stating that he would “fire” them if need be so that the court couldn’t force them to “work for free,” as was their stated concern.

13. My \$5,000 retainer with attorneys Miller and Duke<sup>3</sup> was allegedly exhausted after the first 30-minute hearing on August 1, 2019, and Jeffrey told me that the judge and attorney Story had ordered his home be taken and forced to auction “with no minimum” *before* discovery started.

14. At that point, it didn’t make sense to loan him more money to waste on legal counsel. The home was the only major thing worth saving, and that was being taken by decree of the court on day one.

15. Afterwards Jeffrey needed to—not desired to as the court “records” portray—represent himself *pro se* because I could not loan him more money to pour into the “black hole,” and he had no other means to pay an attorney.

16. I did not plan to support one of my fifty-plus-year-old children during the sunset of my life.

17. Jeffrey has never needed any help with being supported since he became an adult at the age of seventeen or eighteen.

18. Before the courts in Tennessee interfered with my son’s life, he was a whole person. But there was absolutely no reason the courts could not follow the rules and law instead of leaving

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<sup>3</sup> [https://rico.jefffenton.com/evidence/2019-08-02\\_attorneys-miller-duke-retainer-exhausted.pdf](https://rico.jefffenton.com/evidence/2019-08-02_attorneys-miller-duke-retainer-exhausted.pdf)

my son destitute.

19. The Williamson County Chancery Court judge, Michael Binkley, along with attorneys Story, Yarbrough, and the crew in the federal bankruptcy court—appear to have intentionally ignored and unconscionably circumvented the Federal Rules of Bankruptcy Procedure along with multiple significant statutes of Federal Bankruptcy Law to illegally deprive my son of the most valuable piece of property he has ever held an ownership interest in—first broke and then destroyed my son.

20. Every court to date has turned its proverbial head, refused to acknowledge clearly obvious misconduct, on a magnitude unimaginable, while discarding Jeffrey over and over again without any concern whatsoever that the system has completely rendered his life unsustainable.

21. I remember going into antique shops in Frankenmuth and Battle Alley where the owners often display a sign which plainly states, “You break it, you bought it.” That is exactly how I feel about them breaking my son, destroying his confidence and stealing everything that he built, loved, and cherished—that the system should “own” the problem it has created.....and fix it.

22. Had Jeffrey been given an equitable and ethical chance to obtain the vocational rehabilitation which he needs—to re-enter the workforce, which could have been done had the false cloud of a protective order not been hanging over him—I believe that he could have completely recovered from this divorce by now. He could have kept his beautiful home and probably bought out ex-wife’s interest, which instead she discarded, without wasting critical years of his life and hundreds of thousands of dollars which he very simply could not afford to lose.



23. This would have allowed Jeffrey's ex-wife to only pay a fraction of their calculated and previously agreed upon alimony and prevented her from needing to fear the possibility of criminal charges for her role in the unethical events organized, facilitated, and executed by her counsel and the courts, to both her tremendous detriment as well as to that of my son.

24. Jeffrey's ex-wife should always have her vocational value and ability to recover occupationally, whereas my son has no college education or formalized training.

25. I find it tremendously sad that there seems to have been financial incentives for the parties in the "sale" of Jeffrey's home, and that the courts and its players steered matters in the direction they wanted them to go.

26. Jeffrey was stripped of his self-respect and human dignity as a result, which he had built throughout his lifetime of adult independence with extremely hard work. My son was shattered, devalued, and discarded as a human being by people who preyed upon him and his ex-wife instead of acting in good faith in accordance with their oaths of office for the fair and equitable dissolution of their marriage.

27. Jeffrey's million-dollar retirement nest egg, his home, would have probably been paid off in another ten or twelve years as he had planned, if not for the unethical and nefarious conduct of others involved who failed to notify him of bankruptcy proceedings and who deliberately contravened the law.

28. Had the court fairly allowed my son to obtain a divorce as the law requires, or if the court had never interfered with my son's life at all and forced him to shell out thousands of dollars to defend himself against frivolous and defamatory false allegations—some of which resulted in a

fraudulent protective order—he would have been fine, living a life well-earned and hard fought for, but truly his own, which is every person’s right in this nation.

29. To interfere as the court did without lawful, ethical, and humane considerations first and foremost, is shamefully reprehensible.

30. The duty of care and even-handed justice was due my son from the courts and the state of Tennessee. As soon as told the Tennessee Court of Appeals that not only was that duty violated, but unconscionable misconduct took place between the parties and the judge, it had a duty to intervene, and at the absolute very least, hear his testimony without any presumption of his guilt.

31. Jeffrey has been shouting from the proverbial rooftops and providing evidence to each and every court of what he believes is obvious misconduct between attorney Story and Judge Binkley just as he is trying to still do here in this Michigan Federal court.

32. It would not at all serve justice if Jeffrey’s case is dismissed without him ever being heard, despite him working on related matters almost around the clock for four insane years. Not one person who has been involved can reasonably claim not to know about the obvious misconduct of the courts and others involved. Nobody has helped, which is appalling.

33. Jeffrey told me he has filed so many documents and so much evidence with all the courts because nobody is listening. He has never been heard regarding the malfeasance of the actors involved.

34. Rights protected by the Constitution should apply to my son; however, that has not yet happened. He has been deprived of his rights and any protection so far through the judicial

system, while I had hoped that was simply a shortcoming within Tennessee. However, with this court now proposing to dismiss his case despite the amount of work he has done and the amount of evidence of so much foul play in the courts records, I pray the court reconsiders, and instead of being another obstacle in my son's pursuit of justice, it begins to protect him from the vipers who care not about the law but operate in the courts as a way to financially and litigiously dominate and prey upon others.

35. I pray that this court rectifies the senseless and lawless deprivation of my son's life and liberty. I charge it now with that responsibility and beg the lawful intervention to protect my son's life, rights, and livelihood instead of trying to figure out how to discard this case or "pass the buck" without ever bothering to hear his testimony.

36. No matter how many people might be embarrassed from their misconduct being revealed in this lawsuit, the United States of America, including the Michigan federal court system, still owes my son a duty of justice, which I have yet to witness in the slightest capacity.

37. Outside the law, the courts have no lawful authority by which to arbitrarily deprive people of their life, liberty, and property, and the courts in Tennessee did not act lawfully.

38. The courts in Tennessee had a responsibility to return my son to a condition, where if I die tomorrow, he can survive and won't end up living on the streets. This court now has that responsibility.

39. All that I have witnessed being exercised in Jeffrey's cases in Tennessee is lawless power and people who won't even question his accusers or force the court to provide findings of real fact and law that support this absurdity and who issue "default judgments" after he is forced



out of that state and into Michigan — without lawful jurisdiction or authority.

40. Events that occurred in Tennessee have included crimes of epic proportions, and if that is not obvious, then please order a hearing for my son and I to appear before this court so that it can be the very first to hear our testimony of wrongdoing.

41. If this court refuses to help, then please at the very least do not put a cure for my son beyond his reach, costing years more of his life and keeping him in extreme poverty. Instead, if this court refuses to help, please simply transfer this case to the court that has the lawful jurisdiction to uphold justice.

42. Not only have defendants in this case failed to deliver justice, but they refused to help protect the vulnerable. They live above the law and beyond practical daily accountability and have intentionally targeted, attacked, and preyed upon my son while strategically exploiting his known and fully disclosed disabilities, which must be corrected because I cannot afford to support him for the rest of his life (or mine).<sup>4</sup>

43. Jeffrey desperately needs to learn a skill he can use to work from my home, due to my IgA antibody deficiency and my inability to develop an immunity with the pneumococcal vaccine and the life threatening danger of COVID-19 and other contagious illnesses to me.

44. Letters from my immunologists<sup>5</sup> have been repeatedly provided to attorney Story as well as to the courts<sup>6</sup>, stressing that Jeffrey must work from home; however, he is unable to do

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<sup>4</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-38, PageID.2032-2045

<sup>5</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-38, PageID.2042-2045

<sup>6</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.2000

so because of the ridiculous circumstances they have unreasonably created for him. I cannot afford the added expenses in my household without his help.

45. Since COVID-19, because of my immunity disorder and per the specific instructions of my immunologist, I don't go into restaurants or stores anymore, nor have I had any family get-togethers, nor have I had any visitors in my home, except for a few brief visits by two of my daughters and an afternoon outdoor visit by my cousins for lunch once when they came up from Florida.

46. Jeffrey told me that he told attorney Story and the Tennessee Court of Appeals over and over that he could not even get a job to buy the most basic necessities in life, as long as the fraudulent order of protection is in place<sup>7</sup>, which hurts his credibility and his employability.

47. Even amidst a global pandemic, the likes of which the planet has never before seen during my lifetime, where prisons around our country released felons from prison early due to the public health care crisis, the State of Tennessee ardently refused to remove a fraudulent order of protection against my son, which is based upon a false unsigned personal statement<sup>8</sup> allegedly typed by his ex-wife, but with no date and signature on it.

48. He has repeatedly told me that the document is almost exclusively fraudulent.

49. Jeffrey has even provided evidence on a line-by-line basis to prove that the unsigned letter is almost exclusively lies.

50. I don't understand why nobody seems to care about the truth, the costs, the

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<sup>7</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1679-1681

<sup>8</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.655-656

consequences, or the collateral damage which is being repeatedly multiplied in my son's life.

51. From what I've read in several newspaper articles<sup>9</sup> about some of the people involved in Jeffrey's divorce, their apparent conflicts of interest, and their known associates throughout the Tennessee court system, both present day as well as during years past,<sup>10</sup> this I can assure you: Jeffrey does *not* stand out as the lawless criminal.

52. The fraudulent protective order must be removed so Jeffrey can obtain employment to help with expenses.

53. My son was one of the most successful people in our family. He has always been a hard worker. He had a beautiful home before he even met his ex-wife and has never been a threat of any kind to her.

54. Jeffrey has always moved to where the work was, worked multiple jobs when he was younger, and built a life for himself without any assistance from extended family or the government until 2019 when he was cut down in just a month and a half in court. He went from owning a beautiful half million-dollar home in Brentwood, Tennessee, the nicest home of any of his siblings or myself, to literally being homeless, without any income, support, or shelter.

55. Jeffrey still can't even explain to me everything that they did to him, but he has been working to put words to it day and night—typically twelve or more hours every single day of the week—for four long years.

56. I can't even remember the last time I saw Jeffrey take a day off and relax or do

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<sup>9</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-14, PageID.597 ~ ECF No. 1-16, PageID.640

<sup>10</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1771-1792



anything fun or recreational.

57. Jeffrey rarely comes upstairs and doesn't even watch an hour of TV a day. Almost all that he does is research the law—a topic which he has never showed any interest—network with other victims of legal abuse, watch YouTube videos to learn about the law, and draft papers for the courts.....for four solid years now.

58. As a retired nurse, I have had a lot of experience working with children with various abilities/disabilities. I also have several years of experience as a parish nurse and helping dysfunctional families and those with other needs, including working with the community.

59. Jeffrey was wrongly accused of abusing his ex-wife<sup>11</sup> and wasn't even allowed to testify to the truth or present proof countering such false accusations. He had lots of documentation with him, which he filed in court, but court personnel either never looked at it or at least they never treated him as though they had looked at or considered a word of it.

60. I need to set the record straight about a couple of things, which are so simple to prove that I can't understand why everyone has failed or refused to intervene to date, without delivering justice to Jeffrey.

- First of all, Jeffrey never planned or wanted to move to Michigan.
- He did talk about coming to visit me for a month or two while he and his ex-wife sold their home, but that was based upon an agreement between him and her, whereby she had promised to pay him \$1,750 per month in alimony<sup>12</sup> for 6 years.

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<sup>11</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.655-656

<sup>12</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1933-1943

Unfortunately, later she changed her mind about that.

- Jeffrey was never willing to even consider moving out of his home except for that alimony agreement he and his ex-wife had.<sup>13</sup> In the end, she backed out of the agreement, and her attorney pretended that Jeffrey just planned to render himself homeless—forfeiting all the money he had invested into their home, including his retirement account, without having a means of purchasing himself a replacement home or at the very least having the money to rent himself somewhere to live and without becoming a financial liability for someone else, like me or the government.

61. To my knowledge, nobody would give away a half-million-dollar home with nothing in return and be made homeless.

62. Jeffrey even had two roommates<sup>14</sup> who paid him \$1,400 per month and were his only income source at that moment, due to his betrayal by his ex-wife and her attorneys. Taking away his home also forced him to lose his roommates and the income from them.

63. Because of what happened, Jeffrey has been geographically displaced by 600 miles from all his friends and support systems, to live in my basement, in a state which he hoped to never live in again. He has been forced onto food stamps and Medicaid.

64. My son has his share of challenges, but he is neither an idiot, nor is he a monster.

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<sup>13</sup> [https://www.rico.jefffenton.com/evidence/2018-10-27\\_verbal-settlement-agreement.pdf](https://www.rico.jefffenton.com/evidence/2018-10-27_verbal-settlement-agreement.pdf)

<sup>14</sup> [https://rico.jefffenton.com/evidence/2019-03-26\\_fenton-sunnyside-roommate-lease-merriman.pdf](https://rico.jefffenton.com/evidence/2019-03-26_fenton-sunnyside-roommate-lease-merriman.pdf)  
[https://rico.jefffenton.com/evidence/2019-04-09\\_fenton-sunnyside-roommate-lease-garcia.pdf](https://rico.jefffenton.com/evidence/2019-04-09_fenton-sunnyside-roommate-lease-garcia.pdf)

65. There is a personal testimony<sup>15</sup> of some sort, which Jeffrey's ex-wife or someone else wrote and put with her petition for the order of protection. It is full of outrageous lies.

66. I had Jeffrey get me a copy of her statement so that I can quote her accurately, and I will attach it with this declaration so everybody knows what I'm talking about.

67. There is no date and no signature on the statement.<sup>16</sup> It is a plain typed statement that is alleged to be written by Jeffrey's ex-wife.

68. On information and belief, it should be signed and dated to be valid in court.

69. The unsigned document states, "Jeff and I have been separated since April 22, 2018 and I have not seen him since sometime in April when we met to file our taxes. Prior to that I had not seen him since December 2018." This is a lie because Jeffrey and his ex-wife went to counseling together on January 22nd, 2019.<sup>17</sup> I know for a fact they saw each other and his counselor that day together because I paid for their counseling session. Jeffrey told me that he also brought gifts to her apartment that day.

70. Next, the statement claims, "*I am in fear for my safety based on the repeated harassment that has continued to occur.*"<sup>18</sup> I find it impossible to believe that Jeffrey's ex-wife, who is a highly skilled gun safety instructor,<sup>19</sup> who has her own arsenal of custom guns, who is a lifetime

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<sup>15</sup> [https://rico.jeffenton.com/evidence/2019-06-20\\_wifes-false-unsigned-personal-testimony-for-op.pdf](https://rico.jeffenton.com/evidence/2019-06-20_wifes-false-unsigned-personal-testimony-for-op.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-31, PageID.1805-1806)

<sup>16</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.661-662

<sup>17</sup> [https://rico.jeffenton.com/evidence/2019-01-22\\_wifes-birthday-and-counseling-together.pdf](https://rico.jeffenton.com/evidence/2019-01-22_wifes-birthday-and-counseling-together.pdf)

<sup>18</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.661

<sup>19</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-31, PageID.1794 ~ ECF No. 1-33, PageID.1873



NRA member, and who has better training than most police officers,<sup>20</sup> is afraid of Jeffrey—who was at the time living 600 miles away in Michigan.

71. I've seen plenty of pictures of Jeffrey's ex-wife with her guns. She taught half our family how to shoot handguns. She has training with assault weapons, pepper spray, doing special exercises for clearing houses and handling hostage situations—the kind of elite skills you see portrayed in movies.

72. I have never seen Jeffrey's ex-wife “in fear for [her] safety” from anyone. If true, she wouldn't have given Jeffrey turn-by-turn directions to her apartment. And she wouldn't have frequented their house by herself and left their dog, Sarah, with Jeffrey over the Christmas break, proof of which has been posted on Facebook.

73. Unlike Jeffrey's ex-wife, I had an abusive spouse. I had three protection orders (hereinafter “PO”) against my ex-husband due to actual documented physical abuse, which was photographed by the police. He stalked me, did much more, and was a *genuine* threat.

74. Each time the PO was about to expire, I had to go to court with specific documentation of new dates and events to get an extension. Each time I saw a different judge who approved the extension.

75. Whenever issuing or extending the PO, there had to be legal service to my ex-husband, with signature of reception. There were no surreptitious issuances or extensions without the abuser being given notice or an opportunity to be heard as has repeatedly happened to Jeffrey

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<sup>20</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-20, PageID.955 ~ ECF No. 1-21, PageID.994

by the Tennessee courts.

76. I cannot believe that in Tennessee one can easily take everything a person owns, suspend his life for six years without cause, notice, motion, or hearing—and destroy any chance of employment due to a fraudulent PO on his record, all the while giving him no chance to dispute it.

77. People have a right to dispute charges—to due process—and to certainly know why a PO is extended from 1 year to six without even living in the state during either issuance.....by “default” judgments.....with no apparent triggering incident.

78. I unequivocally state that there was no service of process or notice via U.S. mail or otherwise at my home that would have provided the opportunity for Jeffrey to defend himself.

79. Furthermore, I can attest to the fact that Jeffrey has never once been served with notice or allowed to take part and be heard in any legal proceeding within the State of Tennessee since he began living in my basement. This is astounding and contrary to the Constitution.

80. There was never even a notice or motion for default served, which I thought was required before you could slam someone with harsh punitive default judgments, full of fraudulent claims.

81. When I got my divorce, all I had to do to get a video of the proceeding was go to the records office and pay for it. Everything in that court is electronically documented.

82. This is not true in Tennessee where neither audio nor video is recorded in civil courts. There is no “the lawyer can write whatever they want” rule in the state of Michigan.

83. Next in the unsigned statement filed with the petition for the PO, it says, “Over the last several weeks Jeff has sent me numerous text messages and lengthy emails talking about his

intentions on ruining my life, causing me issues with my employer and clients at work, ruining my credit and financially ruining me. As a result of Jeff's continued verbal and emotional abuse and deliberate non-cooperation, I have filed for bankruptcy to preserve my finances.”

84. The statement did not mention that Jeffrey did computer maintenance for his ex-wife's boss at a reduced charge, that he talked to her boss and got her a \$10,000 annual raise<sup>21</sup>, or that, because of Jeffrey's encouragement, she got her architect's license. But those latter three statements are true.

85. I have seen Jeffrey go to great lengths to try to protect his ex-wife from herself. Apparently, nobody has fact-checked these outrageous claims with any evidence nor tried applying some good old-fashioned common sense.

86. Jeffrey's emails, texts, and letters are always quite lengthy, which is a manifestation of his disability.

87. He wrote a 30-page letter<sup>22</sup> to his pastor and both of their counselors to lay all his cards on the table—before they were even married. His ex-wife knew that about him before she ever said “I do,” and she accepted both his strengths and weaknesses for a total of fifteen years.

88. I read the emails and texts which are filed with her PO petition,<sup>23</sup> which are still in the court records, and, yes, they are lengthy, but there is nothing wrong with that. Some of them are even angry, but that seems logical since Jeffrey's ex-wife literally quit paying their mortgage

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<sup>21</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1435-1444

<sup>22</sup> [https://rico.jeffenton.com/evidence/2005-02-09\\_thirty-page-letter-before-marriage.pdf](https://rico.jeffenton.com/evidence/2005-02-09_thirty-page-letter-before-marriage.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-31, PageID.1810-1811)

<sup>23</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.655-678



payments and secretly filed for bankruptcy<sup>24</sup> without even telling Jeffrey.<sup>25</sup>

89. I have not seen any evidence regarding the claims against Jeffrey with respect to his ex-wife's employer.

90. As for "*deliberate non-cooperation*", that is another lie<sup>26</sup> and must be part of attorney Story's fairy tale that Jeffrey was willing to give his house away and go live in the woods without his ex-wife signing her promise to pay him the alimony which they had agreed upon.<sup>27</sup>

91. On information and belief, it appears to me that nobody questions statements made or presented by an attorney who has a personal relationship with a judge in Tennessee. The lies which were told in Jeffrey's case were written in the court records as if matters of fact. These lies have been accepted as the truth. Despite the fact that they are actually false.

92. As for the last statement, "*I have filed for bankruptcy to preserve my finances,*" that is *wildly* ludicrous, makes no logical sense whatsoever, and is another lie.<sup>28</sup>

93. It is plain to me that Jeffrey's ex-wife filed bankruptcy to force the sale of the marital residence<sup>29</sup> because the financing was in her name and she wanted Jeffrey out of it, but she had no legal right to force Jeffrey out because he was a tenancy by the entirety<sup>30</sup> co-owner.<sup>31</sup>

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<sup>24</sup> [https://rico.jeffenton.com/evidence/2019-04-26\\_wifes-ch13-petition-3-19-bk-02693.pdf](https://rico.jeffenton.com/evidence/2019-04-26_wifes-ch13-petition-3-19-bk-02693.pdf)

<sup>25</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1760-1761

<sup>26</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.661

<sup>27</sup> [https://rico.jeffenton.com/evidence/2019-01-28\\_verbal-agreement-needed-in-writing-for-closing.pdf](https://rico.jeffenton.com/evidence/2019-01-28_verbal-agreement-needed-in-writing-for-closing.pdf)

<sup>28</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.661

<sup>29</sup> [https://rico.jeffenton.com/evidence/2018-10-09\\_wife-does-not-want-to-keep-marital-residence.pdf](https://rico.jeffenton.com/evidence/2018-10-09_wife-does-not-want-to-keep-marital-residence.pdf)

<sup>30</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.541-542

<sup>31</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1416-1430

94. Jeffrey was in possession of the marital residence<sup>32</sup> at the time of the proceedings in Tennessee, because his ex-wife chose to move out earlier and had rented an apartment for herself.

95. Jeffrey had his life's savings invested into the property plus about eight years of hard earned "sweat equity," whereby improvements to the marital residence<sup>33</sup> were Jeffrey's primary investment in life as well as his most significant contribution to their family for much of that time.

96. In contrast, Jeffrey's ex-wife's primary investment during that same time frame was in building her career in architecture, through which she almost doubled her vocational value and potential.

97. After my son's legal battles in Tennessee, he was left penniless. He received nothing from his home and lost about \$10,000 worth of personal property, his retirement, and his future earning potential—perhaps the only person in U.S. history to lose that much in a divorce, disregarding any legal expenses. Such a result could only occur if the law was not followed.

98. Jeffrey always said that his ex-wife had a 775-835 credit score throughout most of their marriage. It makes no sense that "fil[ing] for bankruptcy" would help "preserve [her] finances." My brain tells me that filing for bankruptcy *destroys* a person's finances, along with their credit score.

99. I have attached real evidence,<sup>34</sup> which hopefully someone will consider, that

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<sup>32</sup> [https://rico.jefffenton.com/evidence/2019-06-11\\_plaintiff-transferred-utilities.pdf](https://rico.jefffenton.com/evidence/2019-06-11_plaintiff-transferred-utilities.pdf)

<sup>33</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.507-510

<sup>34</sup> [https://rico.jefffenton.com/evidence/2021-01-26\\_trustees-final-account-and-distribution-report.pdf](https://rico.jefffenton.com/evidence/2021-01-26_trustees-final-account-and-distribution-report.pdf)

Jeffrey's ex-wife never really "needed" to file for bankruptcy. I could not believe this when I saw it.

100. Near the end of Jeffrey's ex-wife's bankruptcy, a document called the "Trustee's Final Account and Distribution Report"<sup>35</sup> was filed, which Jeffrey found as he learned about the bankruptcy laws and sifted through the court records in search of a clue. He pointed me to this part of it:

101. Claims Discharged Without Payment: \$55,593.59.<sup>36</sup>

102. I didn't know that it was legal to file for bankruptcy with such a small percentage of debt compared to annual income.

103. Jeffrey's ex-wife made about a hundred thousand dollars per year.<sup>37</sup> I can't even imagine how much she has paid in legal fees. Jeffrey paid \$9,500. I know this since it was mostly my money. Jeffrey still has an outstanding bill of approximately another \$10,000 for being represented in only one hearing. Less than one month of quasi representation and Jeffrey's legal fees were upwards of \$20,000. I wouldn't be surprised if his ex-wife's legal fees were close to \$100,000.

104. Jeffrey and his ex-wife lost approximately \$250k<sup>38</sup> in cash they had invested into their marital residence as of the day that it was "sold" due to the forced auction, so that probably totals \$225,000 in her losses.....to save just \$55,600 in alleged bankruptcy relief. Such a notion is

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<sup>35</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1883-1890

<sup>36</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1883-1890

<sup>37</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1444

<sup>38</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.501-506



preposterous! Does anybody fact-check any of the crazy claims in Jeffrey's ex-wife's bankruptcy? That is fraud.

105. No question should remain that Jeffrey's ex-wife used her bad choices and blamed them on Jeffrey—that it was his fault that she essentially threw away roughly \$350,000 worth of their family's money to save \$55,600.

106. Jeffrey's ex-wife clearly did not “file[] for bankruptcy to preserve [her] finances” or to protect herself from my son. Anyone with a little bit of common sense and the most rudimentary math skills can figure that out.

107. I must mention that Jeffrey's ex-wife has been very unstable throughout her menopause.<sup>39</sup> As a nurse, I know that can happen. She has an extreme sleep disorder (narcolepsy), requiring heavy sedation. She has to take her medication to be able to sleep and again in the middle of the night.

108. I believe that because of her challenging health condition, she would have made an easy victim for a team with a lawyer, a judge, and an auctioneer who were colluding.

109. It has been noted in the news that Jeffrey's ex-wife's lawyer and the judge who presided over the divorce attended parties together<sup>40</sup> and family vacations hosted by her attorney.<sup>41</sup>

110. It seems amazing how quickly their house was auctioned, without any apparent signs on the street.

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<sup>39</sup> [https://rico.jeffenton.com/evidence/2019-02-05\\_narcolepsy-menopause-and-stalking-not.pdf](https://rico.jeffenton.com/evidence/2019-02-05_narcolepsy-menopause-and-stalking-not.pdf)

<sup>40</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-14, PageID.597 ~ ECF No. 1-15, PageID.620

<sup>41</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-15, PageID.621-626

111. I'd never seen any advertising whatsoever.

112. Jeffrey said the auctioneers charged them an extra \$5,000 or \$6,000 for advertising, but he told me he never saw anything other than a brochure made on the computer.

113. The house miraculously sold for exactly what was owed on the mortgages, plus the auctioneer's fees and the closing costs.....and a few months later their home sold for a couple hundred thousand dollars more.<sup>42</sup>

114. That seems like wrongful enrichment to me and a nefarious form of conversion.

115. The next sentence in the unsigned statement filed with the petition for the PO states, "Upon finding out about the bankruptcy petition, Jeff became enraged and his incessant texts and e-mails have been upsetting and vindictive."

116. At this point, refuting each sentence one at a time, when I haven't seen a single sentence of truth throughout, the burden of proof should be reversed, with due diligence required of Jeffrey's ex-wife and her counsel to prove with some real evidence if they want to pretend that any of this is true, honest, or written and filed with the court in good faith, for a genuine pursuit of justice.

117. Lots of "texts and e-mails" sounds like Jeffrey. But those texts and emails his ex-wife is talking about are attached to the trial courts records. I read them, and, though there are understandably a few angry messages, there is nothing where Jeffrey has ever threatened to harm his ex-wife.

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<sup>42</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.501-506

118. Clearly, Jeffrey's ex-wife and her attorneys have lost credibility entirely and unrestrained wrongdoing has been rampant, whereas Jeffrey has been denied all due process or even being heard.

119. Because of the defendants, Jeffrey has been tortured and abused for four years, not even able to work because of the fraudulent default PO from almost 600 miles away. It is plainly apparent the sort of lies the PO was based upon.

120. The unsigned statement filed with the petition for the PO declares, "*I am fearful that he will actually show up at my work, as he has done so in the past.*" The statement conveniently leaves out the fact that Jeffrey actually used to work for his ex-wife's boss previously. However, he has never confronted her at her work or even at her apartment, so it looks as though they are trying to fraudulently insinuate he would.

121. I have never known Jeffrey to be physically confrontational. He just writes profusely with lots of strong words but nothing threatening, which is his first amendment right.

122. Jeffrey told me that his ex-wife wanted to remain friends<sup>43</sup> after the divorce, which is why I paid for their counseling session together on January 22, 2019.

123. Jeffrey's ex-wife was a totally different person before her attorneys hijacked their marriage with a fraudulent narrative.

124. The unsigned statement says, "*At this point all of his communication to me is not consensual and I have relayed this to Jeff multiple times.*" I'm going to state the obvious: just **block**

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<sup>43</sup> [https://rico.jeffenton.com/evidence/2019-01-22\\_wifes-birthday-and-counseling-together.pdf](https://rico.jeffenton.com/evidence/2019-01-22_wifes-birthday-and-counseling-together.pdf)



the emails! I think Jeffrey's ex-wife may have been collecting them to use against him for the PO so she could sacrifice their home and that she was coached to get a PO in any way possible so her team could get leverage and force the bankruptcy without notifying or including him.

125. The unsigned statement says, "*Jeff is a licensed gun carrier and has many weapons, and I am in fear of what he may do me if this continues.*" This may sound convincing for some, but it is lie stacked on top of lie, stacked on top of lie, with a long text or email to "substantiate it," particularly considering his ex-wife's credentials with firearms and self-defense training.<sup>44</sup>

126. Jeffrey has filed the truth in court records everywhere in which the pictures alone testify as to how absolutely ridiculous this is. See ECF No. 1-31, PageID.1794 ~ ECF No. 1-33, PageID.1873 in this federal case. Please pay especially close attention to ECF No. 1-31, PageID.1814 ~ ECF No. 1-32, PageID.1836.

127. I was made aware that when Jeffrey showed those pages to Judge Binkley, expecting that attorney Story had betrayed their friendship by "gaming the court," Jeffrey expected that Judge Binkley was going to be furious at attorney Story along with his ex-wife, and honestly thought that Judge Binkley would rise to vindicate Jeffrey from the absurdly abusive and harassing "narrative" which attorney Story had fraudulently crafted and executed in his case.

128. Instead of defending Jeffrey and getting angry with Attorney Story, the reverse happened. He accepted her lies and lost patience with Jeffrey, which was a telltale moment for Jeffrey he told me.

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<sup>44</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-31, PageID.1814 ~ ECF No. 1-32, PageID.1836

129. Shortly thereafter, Judge Binkley ordered horrifically harsh and punitive judgments, in alliance with attorney Story, based upon her same “fraudulent narrative”. Jeffrey had provided both the court and Judge Binkley 250+/- pages<sup>45</sup> of sworn testimony and clear evidence including photographs that every action levied against him was substantially fraudulent. Yet Judge Binkley chose to not only stand against what was true, honest, and just, but instead he lashed out to further harm Jeffrey, beyond everything already done to him. That was the moment Jeffrey admitted to me that he was forced to concede that Judge Binkley was corrupt. Judge Binkley did not get “gamed” by attorney Story as Jeffrey initially believed. Instead, Judge Binkley helped attorney Story “game the outcome.”

130. Jeffrey assured me he provided an overwhelming amount truth during his August 29, 2019, hearing in chancery court and says that he saw Judge Binkley physically exit the courtroom and walk to the Clerk and Master’s Office to retrieve Jeffrey’s exhaustive filing and carry the stack of documents back to the courtroom.

131. Yet apparently Judge Binkley has never given Jeffrey the benefit of one single word of his clear and obvious testimony, which merely required an honest and decent person to look at the pictures while granting Jeffrey the benefit of what was plainly obvious “common sense.” By all accounts, it appears that Judge Binkley simply refused despite the obvious truth.

132. Jeffrey told me that he has told attorney Story and the Tennessee Court of Appeals repeatedly that he cannot even get a job or obtain the most rudimentary “work from home” to try

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<sup>45</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038

to support himself or help with his expenses because of how they have fraudulently assaulted his constitutional civil liberties as a U.S. citizen.

133. I do not know the true motives for keeping a PO on my son after his property had been seized and he was forced to relocate 600 miles away in Michigan, except possibly: to threaten his life, safety, and freedom; to extort his silence about their misconduct; simply as ADA interference with no logical motive other than to cruelly harm him even more; or possibly for ever attempting to challenge them and stand up for his most basic human rights, as a citizen of this nation, due no less than the same respect and rights due to both of them.

134. Jeffrey assured me he believes that Judge Binkley and attorney Story both intentionally committed “fraud on the court, by members of the court”, spanning from the chancery court throughout the fraudulent bankruptcy filing, where the Federal Rules of Bankruptcy Procedure along with multiple bankruptcy laws were intentionally ignored, violated, or fraudulently circumvented by leveraging Judge Binkley’s courtroom. Jeffrey informed me that he believes they both intentionally worked together against the interests of justice.

135. Jeffrey admits that was the moment when he could no longer deny the fact that Judge Binkley was willfully conspiring with attorney Story to fraudulently deprive Jeffrey of his rights and his property under the color of law.

136. I could have never gotten a PO against my actual physically abusive ex-husband with such unsubstantiated claims.

137. The unsigned statement filed with the petition for the PO declares, “Jeff refers to himself as a part of the ‘extraction team’ and lives a very paranoid life. He installed extensive home



monitoring at our marital residence including surveillance videos and audio recording systems.”

138. I know for a fact that Jeffrey’s ex-wife bought and installed the home alarm system and cameras with Jeffrey years earlier. The statement makes it sound like a new development and again does everything to try to sensationalize Jeffrey’s lifestyle, but at the end of the day, it is fraud stacked on top of fraud.

139. Jeffrey has told me about using their surveillance system to watch wildlife in their yard, as deer walked through the yard almost daily and often slept there as did many other animals. Their property was surrounded on both sides by hundreds of acres of protected woodlands, including Owl’s Hill Nature Sanctuary.

140. Now, for the craziest unfounded claim in the unsigned personal statement, it states, “Jeff refers to himself as a part of the ‘extraction team’.”

141. I have never heard my son say that term before he read it in his ex-wife’s court filings. Since then, I have only heard it a couple of times, when he was specifically referring to or communicating about those filings.

142. Jeffrey told me that when he first read that claim on the unsigned personal statement, it was so outrageous and out of character he burst out laughing. It sounds a lot like the *A-Team* from the 80s. But no, Jeffrey making the aforementioned reference to himself is a lie.

143. I can only assume that one of Jeffrey’s ex-wife’s attorneys thought this would be a nice flare to add some drama to the rest of her made-for-TV bologna they filed.

144. Overall, the unsigned personal statement is nothing less than absurd and contains far more lies and fraud than any possible probative value.

145. How is Jeffrey supposed to have the slightest chance correcting all of the lies, when the lies are literally the primary substance of almost each and every sentence written throughout, yet he has been blocked at every turn? There must be an atrocious number of ethical and conduct violations, but somebody needs to know, hear, and act upon the truth. This is horrifically criminal.

146. Finally, regarding the unsigned personal statement and the claim regarding Jeffrey “causing [his ex-wife] issues with [her] employer and clients at work,” that is nonsense, because her “bankruptcy” and the subsequent “divorce” were strategically timed for when it was known for over a year in advance that his ex-wife’s boss was planning to retire<sup>46</sup> when his office lease expired and he would close down their firm.<sup>47</sup> Obviously, there would be no “issues” with any “employer” or “clients” then. This is confirmed in a letter provided in court by attorney Story<sup>48</sup> on August 1, 2019, which plainly states that Jeffrey’s ex-wife’s employer is downsizing and cutting back to retire and close their firm in a couple of months.

147. So why has this charade persisted without cross examination or allowing Jeffrey to even be heard, particularly when there are so many obvious lies Jeffrey has repeatedly proved?

148. I don’t see a shred of evidence that shows Jeffrey has acted inappropriately regarding their marriage or divorce proceeding or done anything unusual other than writing long and frequent (non-threatening) emails and texts, which was all a given fifteen years prior.

149. This nonsense simply fails to pass the “smell test,” and I honestly hope that

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<sup>46</sup> [https://rico.jefffenton.com/evidence/2019-08-14\\_bankrupcy-planned-for-when-employer-retires.pdf](https://rico.jefffenton.com/evidence/2019-08-14_bankrupcy-planned-for-when-employer-retires.pdf)

<sup>47</sup> [https://rico.jefffenton.com/evidence/2019-08-14\\_bankrupcy-planned-for-when-employer-retires.pdf](https://rico.jefffenton.com/evidence/2019-08-14_bankrupcy-planned-for-when-employer-retires.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.765)

<sup>48</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.765

someone will look past the fraud to discover and discern the truth for once.

150. I believe I am starting to see why Jeffrey has such a tough time telling his story: because there is layer upon layer of ceaseless fraud.

151. On June 16, 2019, in one of his lengthy e-mails, Jeffrey stated, “I wish we would have had an asteroid fall on our home and kill us (or at least me), the day before I discovered your plans to divorce me.”

152. Jeffrey said that attorney Story and Judge Binkley acted as though this were some plausible “disturbing threat”—as if Jeffrey is capable of hurling asteroids at people.

153. I have not known Jeffrey to state that he would or wanted to throw any asteroids to kill people, and I would further question the sanity or the motives of anyone alleging that this was a real “threat.”

154. This was clearly a cry of desperation. Jeffrey wished he could have simply passed peacefully at home in his sleep, with his family around him before he woke-up to learn that the person he loves the most in his life chose to betray him and destroy his property, his person, and his freedom.

155. In that same email that is being cited above with Jeffrey wishing the pain would stop, the other 95 percent of it—which the court chose to ignore—was actually sweet and sorrowful, not angry or threatening; however, the most dramatic part was cherry-picked.<sup>49</sup>

156. I have read the email. Jeffrey stated in it: “You break my heart! You absolutely

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<sup>49</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.673-675



refuse to share anything with me,” and, “Regarding the house, I understand that you included both BCS and BOA in your list of creditors, and that they both plan to come to your hearing, but I’m unclear if you are trying to forfeit the house or retain the house through your bankruptcy? Are the first and second mortgage payments current? Is there anything which I need to be concerned about here?”

157. Jeffrey also stated in this email: “Mostly I’m not angry about this, I’m just confused...and heartbroken, that all of this could happen and you never even bothered to mention it to me. That you think that little of me. I won’t try to use any of this against you or interfere in any way. I’m just sad!”

158. I don’t know very many people who could be so clearly and severely betrayed by a gang of powerful people helping the person he loves the most betray him while handling it as gracefully as my son—who didn’t threaten anyone.

159. Why is a fraudulent portrayal about the final paragraph of a three-page letter the only part which has been acknowledged by the court instead of it having accepted, evaluated, and averaged the primary substance throughout this documented communication? Possibly because that would have failed to yield the desired results.

160. I thought that courts were prohibited from executing predetermined conclusions while only exploring or acknowledging testimonies or evidence which would support only the desired, predetermined outcome.

161. This is an obvious, obscene, miscarriage of justice, and my son has mountains of evidence documenting almost all, if not every phase, of it.

162. It is my understanding that despite the actions by the chancery court, it could no more lawfully seize and force the sale of my son's property without due process than the bankruptcy court could, yet that is exactly what happened.

163. The very minimum for either court to have satisfied the lowest threshold of due process prior to the forced deprivation of my son's critical and essential property interests, including his sole stream of income during that emergency, would have been for him to have been provided with a realistic and viable opportunity to save his property or mitigate his losses in it prior to forced deprivation.

164. However, he was specifically forbidden from doing so by the court and opposing counsel. I know this because I offered to loan Jeffrey the money to cure the defaulted mortgages and preventing them from defaulting again. Yet that was not enough to satisfy Ms. Story in court on August 1, 2019.

165. Prior to the hearing on August 1, 2019, in chancery court, Jeffrey told me that when he told his attorneys he could borrow the money from me to bring and keep his mortgages current, attorney Story overheard him and answered him directly, stating to the effect, "No, it is already too far along in the bankruptcy."

166. Jeffrey was intentionally omitted from notice<sup>50</sup> by both the bankruptcy court and their mortgage companies. He never had a chance. I believe that they already had plans for his home. Clearly he was provided no opportunity to save his property.

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<sup>50</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1760-1761

167. My son constantly defends his ex-wife and does everything he can to try to protect her, even from the potential consequences of the crimes she participated in against him.

168. Jeffrey has requested immunity<sup>51</sup> for his ex-wife from the FBI<sup>52</sup> and the DOJ/USTP<sup>53</sup> while he has tried repeatedly to hold the powerful members of the court accountable for their crimes against their family.

169. I believe that Jeffrey's ex-wife and her attorneys intentionally had her default upon their mortgage payments without ever even telling my son. This set the stage for the whole bankruptcy fraud and divorce assassination levied against my son, yet attorney Story has the nerve to pretend that *my son* is the monster.

170. I've always trusted our government, the police, and the legal system. But underlying events are simply wrong on so many levels—without one good faith action to substantiate anything that has been done to harm my son.

171. I don't understand how the state of Tennessee could have gotten it so wrong for so long, while refusing to even once hear my son's testimony and consider it before his fate was determined.

172. This has been the closest thing to terrorism which I have experienced in my life.

173. I went to Tennessee with Jeffrey to help him pack and move what he could carry

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<sup>51</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1682-1684

<sup>52</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1704-1707  
Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1771-1775

<sup>53</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1758-1761



back to Michigan. Several big-ticket items in his home had been stolen<sup>54</sup>, including a 1,200 lb. custom gun safe.

174. I'm reasonably sure that someone must know where the safe went because there are very few companies in town who are even qualified to transport such an extremely heavy object. Yet Jeffrey tells me that nobody will tell him.

175. It was both heartbreaking and terrifying to be at my son's home for the last time. We quickly tried to pack up what they had left him while being stalked and harassed almost non-stop by the attorney and one of the auctioneers that Ms. Story had spy on us.<sup>55</sup>

176. I always enjoyed my visits to Jeffrey's home but not that time. It was like being at his funeral.

177. At one point, auctioneer Tommy Anderson snuck into Jeffrey's back yard whereupon he went onto his rear deck and beat on the glass back doors of the home, which startled me because I never anticipated anyone to be at the back door.

178. We couldn't get cell phone reception at Jeffrey's marital residence because all the internet equipment had been disconnected, and their home was nestled deep inside a little valley between two massive hills, which disrupted cell phone and TV reception.

179. We didn't learn until we left his home with the U-Haul that both Ms. Story and auctioneer Tommy Anderson had been harassing, stalking, spying on, and even threatening Jeffrey

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<sup>54</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.559-562

<sup>55</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-16, PageID.630-635

repeatedly.<sup>56</sup>

180. An email sent to Jeffrey from auctioneer Tommy Anderson on October 6<sup>th</sup>, 2019, stated<sup>57</sup>, “Jeff my friend, I will be coming by today after my son’s bball game. I hope to see you gone by then, or other measures, not to your liking will be enforced. Time to move on. Tommy Anderson.”

181. That is clearly using threats of physical intimidation to scare us out of Jeffrey’s home, but Jeffrey tells me this was just a shadow of the types of harassment, coercion, and legal bullying he had to endure by Judge Binkley, attorney Story, the auctioneers, and others.

182. I am not aware of any legitimate need for us to be rushed and bullied so much. Jeffrey said that the sale of his property didn’t close for a few more weeks<sup>58</sup>.

183. So, when Tommy Anderson arrived pounding on Jeffrey’s back door, we were not at all expecting him. It wasn’t until we pulled out of Jeffrey’s driveway later that evening, that Jeffrey received a volley of angry and threatening emails.<sup>59</sup>

184. I saw several threatening messages from attorney Story and the auctioneer on Jeffrey’s cell phone after we left his house that day.

185. Honestly, I was afraid to even take a nap while at Jeffrey’s home. Attorney Story had Jeffrey evicted from his own home by four sheriff’s deputies as if he was a dangerous felon. It was *so* scary.

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<sup>56</sup> <https://rico.jeffenton.com/evidence/2019-10-06-harassing-threatening-stalking-spying.pdf>

<sup>57</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-16, PageID.633

<sup>58</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-16, PageID.635

<sup>59</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-16, PageID.630-635

186. Even after Jeffrey and I were back in Michigan, I kept my front drapes closed and no longer answer the door.<sup>60</sup> If a siren goes by, I cringe. When I do leave home, I always check my driveway upon my return for a police car before I enter. I have a plan of where to go if one is in there.

187. After four years of being my son's proofreader, this is like a never-ending nightmare that began as a crime and was transformed into abusive cruelty.

188. I don't understand how anybody can treat people this way, especially short of a criminal charge and full due process of law.

189. I certainly don't understand how a real judge could have anything to do with the crimes that I have witnessed.

190. Jeffrey paid the auctioneers a lot of money for literally discarding his home for exactly what was owed on the mortgages plus the real estate and closing fees without him ever receiving one penny from it.<sup>61</sup>

191. Not by any choice of his own either, he was forced against his will by the Chancery Court.

192. Adding insult to injury after taking my sons home, the people who made a small fortune on it were disrespectful and threatened him. I've never seen anything like it and hope that I never do again. I was terrified.

193. A few months after Jeffrey's home was discarded for roughly fifty cents on the

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<sup>60</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1762-1765

<sup>61</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.557-558



dollar, it was listed back on the market for a few hundred thousand dollars above the auctioned “selling” price. It was almost like a gang deed—but done by powerful attorneys and judges.

194. To me it seems as if the truth and the law meant nothing to the court.

195. I thought that the whole purpose of courts was to hear both sides, to then determine the truth, and finally to apply the law to the truth; however, this certainly never happened with my son.

196. Jeffrey is vocationally challenged/disabled and has been left unable to earn a living due to the court.

197. My son has never been a criminal or in any trouble with the law. If anybody looked at the evidence in his case and actually allowed him to testify and be heard, they would know that.

198. On information and belief, nothing in Jeffrey’s case in Tennessee was based upon the truth and law.

199. It is ridiculous how the responsible people have and continue to leverage a PO to oppress my son for four years with two more still to go—if it doesn’t get extended once again.

200. My son would never harm his ex-wife, and I’ve never seen her afraid of anyone.

201. I’ve never seen my son be rough with his ex-wife in any way.

202. I’ve never heard Jeffrey’s ex-wife talk bad about my son and don’t understand what happened to her or who put her up to what she did. Both of their lives appear to have been destroyed as a result.

203. Incidentally, their marital residence, which the court forcefully took and liquidated

for a little over \$320,000 is now worth approximately \$900,000.<sup>62</sup> Because of its location,<sup>63</sup> it has appreciated by roughly a hundred thousand dollars per year for the past four consecutive years.

204. One of Jeffrey's ex-wife's favorite sayings used to be, "that is what the FBI calls a clue!" Perhaps the motive was to acquire the home because of its location. Stealing homes is nothing new. The Countrywide fraud back in the early 2000s helped the company steal many homes, but just because it is common doesn't make it right.....or legal.

205. Jeffrey told me he wants to do whatever he can to help promote a sensible system of transparency and accountability within the Tennessee court system while helping to protect the interests of the less fortunate. Using his case as evidence, which is direly needed. Proving that the risk to the public of not making such commonsense improvements to the judiciary within the state is far beyond the tolerance of civilized society.

206. I hope that this court will finally help my son see justice and set him free from official oppression so that he can begin trying to move forward and rebuilding his life before I am gone. He truly has no means to survive on his own and provide for himself in the simplest way because of an unconscionable horde working fraudulently to execute their own form of "justice"—all under color of law.

207. I would like to take this opportunity to stress one final point in this testimony, which I don't believe is possible to overstate in this case. This declaration took me a few days to write and edit, but the facts mentioned herein are provided largely to correct the lies contained in a mere

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<sup>62</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.485

<sup>63</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.494-500

1 ¼ pages of the documentation<sup>64</sup> filed in chancery court (docket #48419B) against my son.

208. As far as I know, this almost all ties to some lie which was told in the unsigned personal statement that was used to lay the groundwork for the almost exclusively fraudulent narrative, which was then leveraged unconscionably as the foundational basis of my son's entire case; however, both the truth and the facts have been strategically ignored.

209. In my opinion, the foregoing is the biggest reason why my son has not seen justice and why the truth is virtually unbelievable. My son is not fighting just one or two lies, but the entire acclaimed basis of his case, from what I can see, has no foundation in either fact or law. It is simply fantasy, and it portrays my son falsely as a monster.

210. I can see that Jeffrey is so incredibly overwhelmed needing to tell so much truth, but every court he has turned to so far has refused to even entertain the idea that multiple members of the court could intentionally act so reprehensibly. However, the facts are all here and have been on court record since August 29, 2019. Courts have acted as RICO organizations previously. The Operation Greylord case is a classic example.

211. Jeffrey told me that he told the Court of Appeals that he needed them to fact-check specific discrepancies<sup>65</sup> between his two transcripts<sup>66</sup> of evidence because without seeing the foul play with their own eyes, honestly, the lies are more plausible than the truth with this illusion they

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<sup>64</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-31, PageID.1805-1806

<sup>65</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1925 ~ ECF No. 1-36, PageID.2006

<sup>66</sup> [https://rico.jefffenton.com/evidence/2019-08-01\\_chancery-hearing-transcript.pdf](https://rico.jefffenton.com/evidence/2019-08-01_chancery-hearing-transcript.pdf)  
[https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)  
[https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)



have fabricated.

212. So many powerful and prominent members of the court worked together in what appears to be horrible faith to commit what seems to have been multiple serious felonies<sup>67</sup> against my son. But nobody is willing to give my son the benefit of the doubt long enough to even hear and weigh his testimony. That is awfully unfair and unconstitutional.

213. It is bad enough that so many people working in what are considered positions of “public trust” appear to have ganged up on my son and acted so poorly, but to then put help and a cure out of reach for him, that is injustice stacked upon injustice.

214. I wrote a previous affidavit/declaration<sup>68</sup> on 10/13/2020, which Jeffrey filed in the Tennessee Court of Appeals and also provides valuable testimony in this case; however, I think it was completely ignored because the court never contacted me in regard to it, nor did they help my son.

215. There is one other very serious concern, which I know that Jeffrey has tried to bring to numerous parties attention throughout the Tennessee court system, including the Tennessee Court of Appeals,<sup>69</sup> the Tennessee Supreme Court,<sup>70</sup> as well as the Administrative Office of the Courts<sup>71</sup> and the Board of Professional Responsibility,<sup>72</sup> that is the clear difference between what

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<sup>67</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1874-1924

<sup>68</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-2, PageID.49-53

<sup>69</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1704-1707

<sup>70</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1665 ~ ECF No. 1-30, PageID.1792

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1370 ~ ECF. No. 1-28, PageID.1664

<sup>71</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1704-1707

<sup>72</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1698-1715

was said during Jeffrey's 8/1/2019 hearing (when he had counsel) and what was said during his 8/29/2019 *pro se* hearing in Chancery Court, when he could no longer afford counsel to protect him.<sup>73</sup>

216. By comparing both the 8/1/2019<sup>74</sup> and the 8/29/2019<sup>75</sup> transcripts of evidence, while also listening to the recorded audio<sup>76</sup> from the 9/29/2019 hearing, which Jeffrey recorded in court with Judge Binkley's permission in advance.

217. To start, on 8/29 attorney Story demanded that Jeffrey be evicted from his home, that he be escorted out by the sheriff's office, and that he not be allowed to take any of his personal property with him. Oddly, I can't see where any of this was mentioned on his transcripts from his 8/1/2019 hearing,<sup>77</sup> while he still had counsel to help protect him.

218. On page 6 of the transcript<sup>78</sup>, attorney Story stated: "So he's got to be out for them to get this place ready to go.... I would like the Order to reflect that the Williamson County sheriff's department will accompany him.... Off the property. And I don't think he needs to take any property."

219. On pages 7-8 of the transcript<sup>79</sup>, attorney Story stated: "If he will tag the items that he wants, like my client tagged the items per your order, if he'll just put a tag on items he wants,

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<sup>73</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1925 ~ ECF No. 1-36, PageID.2006

<sup>74</sup> [https://rico.jeffenton.com/evidence/2019-08-01\\_chancery-hearing-transcript.pdf](https://rico.jeffenton.com/evidence/2019-08-01_chancery-hearing-transcript.pdf)

<sup>75</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jeffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)

<sup>76</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jeffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)

<sup>77</sup> [https://rico.jeffenton.com/evidence/2019-08-01\\_chancery-hearing-transcript.pdf](https://rico.jeffenton.com/evidence/2019-08-01_chancery-hearing-transcript.pdf)

<sup>78</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1160

<sup>79</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1161-1162

we'll make sure that those get stored, and then we can use the proceeds from the sale. We're going to deposit those into the clerk's office. And we can use those to pay the next storage unit and then when he gets ready to come here and get his things, or maybe he wants to use some of his proceeds to have them shipped to him since he..."

220. On page 8 of the transcript<sup>80</sup>, attorney went on to say: "So I'm trying my best to be as accommodating to him and considering his condition that, you know, this is going to be a simple process for him. He can take his clothes, his personal property, be out September 3rd. We will tag everything, take care of it. Mr. Anderson is not going to destroy property. That's all I'm asking for."

221. Unfortunately, as soon as Jeffrey was no longer within the State of Tennessee, I can't see where they kept any of their promises from court on 8/29/2019.

222. On September 16<sup>th</sup>, 2019 Ms. Story sent Jeffrey a letter<sup>81</sup> demanding that he immediately send her \$2,000 for storage, while in court on 8/29 she said that they would use the proceeds from the sale of his home.

223. On September 26<sup>th</sup>, 2019, Attorney Story sent Jeffrey a letter<sup>82</sup> demanding \$3,534 no later than October 2<sup>nd</sup>. In that same letter Attorney Story stated, "At this point, it is our position that moving the items to Michigan **is not financially responsible...** We will go ahead and file a Motion with the Court **to sell or otherwise get rid of** all remaining items in the home **in the event**

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<sup>80</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1162

<sup>81</sup> [https://rico.jeffenton.com/evidence/2019-09-16\\_story-letter-demanding-two-grand-for-storage.pdf](https://rico.jeffenton.com/evidence/2019-09-16_story-letter-demanding-two-grand-for-storage.pdf)

<sup>82</sup> [https://rico.jeffenton.com/evidence/2019-09-26\\_story-letter-demanding-thirty-five-hundred.pdf](https://rico.jeffenton.com/evidence/2019-09-26_story-letter-demanding-thirty-five-hundred.pdf)



**that you do not agree to pay** the cost for packing, moving, and storing the items that you wish to retain.”

224. Again, to reiterate, on pages 7-8 of the transcript<sup>83</sup>, attorney Story stated: “If he will tag the items that he wants, like my client tagged the items per your order, if he’ll just put a tag on items he wants, we’ll make sure that those get stored, and then we can use the proceeds from the sale. We’re going to deposit those into the clerk’s office. And we can use those to pay the next storage unit and then when he gets ready to come here and get his things, or maybe he wants to use some of his proceeds to have them shipped to him since he...”

225. Everything changed once Jeffrey no longer physically resided within the State of Tennessee any longer. None of this was within Jeffrey’s control.

226. They knew they had run him off without a penny to his name. While any money he could have produced for payment would have come directly out of my bank account.

227. They forced him to leave his personal property behind in court on 8/29/2019, promising to take care of it, then after he was gone (as ordered), they changed their mind(s) and claimed that it was “**not financially responsible**” to keep his personal property and move it to the State of Michigan, as he had planned and previously attempted, but was denied in court.

228. That is horribly unfair and appears to have all been done in awful faith.

229. On page 24 of that transcript<sup>84</sup>, Ms. Story stated: “Since he probably will be moving to Michigan, I would be amenable to him attending the final hearing by telephone if he doesn’t want

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<sup>83</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1161-1162

<sup>84</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1178

to drive back. And I can tell you, I will try to accommodate him in any way I can.”

230. On information and belief, shown on the transcripts of evidence from the 8/29/2019 hearing in chancery court, attorney Story demanded that Jeffrey be forcefully evicted from his home by the Williamson County Sheriff’s Office, with just a five-day notice, without allowing him to take any of his personal property, not even his bed.

231. On information and belief, it is clear by reading the transcripts that both attorney Story and Judge Binkley were well aware that once they evicted Jeffrey from his home, he had no place where he could stay in Middle Tennessee, and he would be forced to relocate to Michigan to stay with me.

232. On information and belief, Jeffrey showed me an affidavit filed by attorney Story<sup>85</sup> on October 21<sup>st</sup>, 2019, which apparently Judge Binkley used as the basis by which to order the default judgments against Jeffrey.

233. Here is what Attorney Story’s 10/21/2019 affidavit<sup>86</sup> stated:

- I am over 18 years of age and have personal knowledge of the following facts.
- At the August 29, 20 19 hearing in this matter, the Court set this matter for final hearing on October 21, 2019 in open Court with Mr. Jeffrey Fenton present in the courtroom.
- Since the August 29, 2019 hearing, Mr. Fenton relocated to Michigan.
- In his handwritten note, he stated that he does not want to contest the divorce and

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<sup>85</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1986

<sup>86</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1986

that he does not wish to communicate with Virginia Story or anyone from her firm, ever again. He states that he will never be in Tennessee again.

234. I believe that what this affidavit<sup>87</sup> failed to state, which my son wrote in his “handwritten note” left at his residence for Ms. Fenton, is at least as important as what Ms. Story disclosed in this affidavit.

235. Both parts were critical and essential for a tribunal to make a truly informed decision.

236. Jeffrey’s “handwritten note” is recorded in the Chancery Court technical records, in docket #48419B, volume 3, pages 412-415<sup>88</sup>, while Attorney Story’s affidavit is recorded directly preceding at page 411.<sup>89</sup>

237. I’m unsure why judge Binkley would have allowed her only to disclose the “cherry picked” parts.

238. Here are the pertinent unedited statements written by Jeffrey in his “handwritten note” left for Ms. Fenton at their marital residence<sup>90</sup>:

➤ I am so sorry things ended this way, but I can never speak with you again. To protect my heart, not out of anger or resentment.<sup>91</sup>

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<sup>87</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1069

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1986

<sup>88</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1070-1073

<sup>89</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1069

<sup>90</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1070-1073

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1987-1991

<sup>91</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1071

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1989



- I will never communicate with Virginia Story or anyone from her firm, ever again. Regardless of the consequences.<sup>92</sup>
- **IF she will drop all charges and never contact me again**, then I will likewise drop my 250 page counter motion set for October 21<sup>st</sup>.<sup>93</sup>
- I will mail you the free simple divorce papers signed – and as long as no lawyers are involved, we each walk with what we have, assets + debts, and no alimony etc... due to either ever. **Only if we finish non-contested together, without a lawyer, as we promised each other.**<sup>94</sup>
- I would and will never hurt you or those you love in any way. Despite what they cost me.<sup>95</sup>
- I will always love you! I leave only with tremendous sadness, nothing more.<sup>96</sup>
- If Ms. Story tries to use any of this against me, I will dedicate my life to fighting and appeal this to State Court, where the sale of our home will be found and proven to be against state laws.<sup>97</sup>

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<sup>92</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1071

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1989

<sup>93</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1071

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1989

<sup>94</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1071-1072

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1989-1990

<sup>95</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1072

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1990

<sup>96</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1072

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1990

<sup>97</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1072

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1990

- If I never hear from Ms. Story or her staff or court, then I'm done, and I surrender all.<sup>98</sup>
- I will always love you!<sup>99</sup>
- I'm so sorry!<sup>100</sup>
- Please don't sell or discard any of this [pile of gifts left for Fawn], it was all worth more than money or it wouldn't be sitting here.<sup>101</sup>
- It is my kiss on the cheek goodbye! Please kiss and hug my puppy for me.<sup>102</sup>
- Non-Contested, No Joint Assets or Debts, Divorce papers to be mailed to you within 2 weeks. It might take me a week to get to MI and unload this crap.<sup>103</sup>
- I will never be in Tennessee again. You never have ANYTHING to fear from me!<sup>104</sup>
- Goodbye Fawn! Love, J.F.<sup>105</sup>

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<sup>98</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1072

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1990

<sup>99</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1072

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1990

<sup>100</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1072

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1990

<sup>101</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1073

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1991

<sup>102</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1073

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1991

<sup>103</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1073

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1991

<sup>104</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1073

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1991

<sup>105</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1073

239. From what I can see, they took all of the benefit of Jeffrey's generous **proposal/offer** to his ex-wife, without any of his clearly stated conditions.

240. I can personally attest to the fact that it was never Jeffrey's intention to have this case continue to move forward without him being provided an opportunity to be heard or defend himself.

241. I can personally attest to the fact that this handwritten note never communicated any such offer, proposal, statement, or suggestion.

242. I can personally attest to the fact that Jeffrey was simply trying to mitigate damages for both him and Ms. Fenton, by ending the contested litigation and obtaining a final divorce decree amicably by Jeffrey and Ms. Fenton filing for an uncontested divorce, using the State of Tennessee's free divorce forms<sup>106</sup> for litigants without any children, without any joint assets or debts remaining, as they had previously promised each other.

243. I can personally attest that Jeffrey still believed that they had at least a year of litigation ahead for the contested divorce (they had not even begun discovery yet), based upon the estimate of taking between a year to a year and a half for a fully contested divorce in Williamson County, per what Jeffrey was told by Ms. Fenton during their first divorce action in docket #47426.

244. I can personally attest that Jeffrey did not at all understand that attorney Story was seeking to skip discovery for the divorce and proceed to a final hearing related to the divorce.

245. I can personally attest that Jeffrey's understanding of what the court was referring

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Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1991

<sup>106</sup> <https://www.tncourts.gov/help-center/court-approved-divorce-forms>



to as a “final hearing” both in this “matter” and “cause” Jeffrey believed to be in regards to the issues which the court had addressed to date, in some meaningful capacity, those being the outcome from the forced auction and the alleged violation of the “Order of Protection *Ex Parte*”, because Ms. Story asked to continue those due to Jeffrey’s late filing of his 8/29/2019 250+/- page exhaustive filing, while obviously the court repurposed Jeffrey’s 8/29/2019 hearing in Chancery Court to obtain possession of Jeffrey’s marital residence.

246. I can personally attest that Jeffrey has a recorded phone call over two hours long, from a conversation he had on 8/19/2019 with his previous counsel, attorney Mitchell Miller. During this call attorney Miller instructed Jeffrey on how to navigate the discovery process while representing himself *pro se*.

247. It is absurd to believe that he would have done this had he no plans of continuing to defend his case.

248. It is also absurd to believe that Jeffrey would have stayed awake for several days writing and compiling over 250+/- pages of sworn testimony and evidence (which he did), to rush and file it in Chancery Court on the very first day which he was “allowed” to file anything in docket #48419B *pro se*<sup>107</sup> (which he did), while Jeffrey told me that he physically saw both Judge Binkley and Attorney Story with his massive filing in their hands during court on 8/29/2019 (which he did), merely to turn his back afterwards and decline the opportunity to even have that exhaustive filing heard and used to his benefit toward his defense (which he did not do).

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<sup>107</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_husbands-one-and-done-answer-to-all.pdf](https://rico.jeffenton.com/evidence/2019-08-29_husbands-one-and-done-answer-to-all.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038) Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1998

249. Jeffrey was devastated after his first hearing in Chancery Court on 8/1/2019, where the court ordered the forced auction of his home with “no minimums”<sup>108</sup>, while Jeffrey was denied notice by the bankruptcy court<sup>109</sup> and any chance to save his critical property interests. To make matters worse, by the end of the day on August first, Jeffrey had exhausted \$9,500 in legal fees for his defense, which he only borrowed from me in an attempt to save his home, while it was a complete waste.

250. To still make matters worse, the next day on 8/2/2019, the law firm Jeffrey hired to represent him, demanded another \$6,000<sup>110</sup> be deposited into their law firms trust immediately, in order to continue having representation.

251. Due to Ms. Fenton’s bankruptcy and now the forced auction of their marital residence, there was no reasonable expectation that Jeffrey would even be able to recover his legal fees for continued litigation, so he was forced to switch to representing himself *pro se*.

252. Absolutely devastated by recent events, with days of sleep deprivation, on August 4<sup>th</sup> Jeffrey lashed-out on momentarily on Facebook with an angry post to the effect of: “My home was declared on Thursday to be auctioned as an estate sale, along with everything that I’ve worked my life to own. So much for fairness in Tennessee... After 25 years with not so much as a traffic ticket... [through] horrendous lies... The truth will come out in the end, I promise... Once I clear the state lines and all my proof of your misdeeds hits the national media...”.

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<sup>108</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1951-1953

<sup>109</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1760-1761

<sup>110</sup> [https://rico.jefffenton.com/evidence/2019-08-02\\_attorneys-miller-duke-retainer-exhausted.pdf](https://rico.jefffenton.com/evidence/2019-08-02_attorneys-miller-duke-retainer-exhausted.pdf)

253. This post made absolutely no physical threats. It did not name or tag Ms. Fenton. The only thing which I believe could have rationally been considered a “threat” in Jeffrey’s Facebook post, was that he would **expose the truth about the crimes committed against him** by Ms. Fenton (potentially with the help of the courts and her counsel), after he safely made it over the state line, hopefully beyond the retaliatory reach of the State of Tennessee.

254. Regardless, the post was dumb, angry, distraught, an unnecessary risk considering the challenges he faced, and didn’t need to be online.

255. As soon as I saw this post on Facebook, I called Jeffrey (who had finally fallen asleep), I woke him up and told him that somebody might interpret his Facebook post as a violation of the “order of protection *ex parte*” which the court had placed against him, so he should take it down. Jeffrey agreed and immediately deleted the post, while I don’t even believe that it was online for a full day.

256. Unfortunately, it was already too late, because somebody had already captured a screenshot of his Jeffrey’s angry and distraught rant and contacted his attorneys claiming that this Facebook post constituted a violation of the *ex parte* order of protection, while setting a court date for Jeffrey to be heard on this matter for 8/29/2019.

257. Jeffrey was fully prepared to be heard on this matter on 8/29/2019, but after using this violation as a means to quickly drag Jeffrey back into court, under the threat of violating the order, with potential jail time as a possible consequence, adding panic to the rest of the burden which Jeffrey was carrying at that time, the hearing was repurposed instead to gain possession of his marital residence.



258. Here is an excerpt from the 8/29/2019 hearing in Chancery Court, from the Transcript of Evidence<sup>111</sup>, Page 3, Lines 9-20:

9. . . . . MS. STORY: Your Honor, the motion that  
10. we are here on today is a motion for violation of the  
11. order of the court that was August 14th of '19. And  
12. after the order was entered, there was a pretty scary  
13. communication from Mr. Fenton. I am not here today to  
14. argue about that motion necessarily. The more  
15. pressing matter -- and that was his response, that is  
16. the lengthy response we received this morning. It  
17. deals more with the issues of why he made those  
18. statements and those type of things.  
19. . . . . **But the more pressing issue, Your Honor,**  
20. **was the deadlines for getting this house sold...**

259. Here is an excerpt from the 8/29/2019 hearing in Chancery Court, from the Transcript of Evidence<sup>112</sup>, Page 8 Line 18 through Page 9, Line 20:

18. . . . . THE COURT: What do you want me to do  
19. with this violation of the Order?

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<sup>111</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)  
[https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)

<sup>112</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)  
[https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)

20. . . . . MS. STORY: Just continue it. We can  
21. just reset that portion of the motion. **He just filed**  
22. **a response today.** I'm fine to -- the *ex parte* remains  
23. in effect anyway under the Order of the Court, and I  
24. **have not seen any further violations of that Order.**  
25. The selling of the marital property is a concern to me  
1. but I can deal with that at final hearing. One of the  
2. things, too, is you might want to waive mediation in  
3. this case. I have requested in my motion that  
4. mediation be waived. There is an Order of Protection  
5. where they are not to be around each other. It would  
6. be difficult for a mediator to accommodate that. And  
7. I think that it really is just settling personal  
8. property. They don't have any -- and then whatever  
9. comes from the proceeds. They have no children.  
10. . . . . THE COURT: **That's granted.**  
11. . . . . Okay, sir, let me talk to you about one  
12. thing. We're narrowing the issues before the Court  
13. today.  
14. . . . . MR. FENTON: Okay.  
15. . . . . THE COURT: We're not going to be talking

16. about the violation of the Order of Protection.

17. **That's going to be reset. So all of these documents**

18. **you have don't apply to today.** [Unfortunately, it appears that the court refused to ever apply any of Jeffrey's defense<sup>113</sup>, for his benefit, despite the absolutely needless, catastrophic debilitating costs to my sons life and liberty.]

260. Jeffrey went above and beyond in every attempt to be heard and defend his case, while the Court Records in the State of Tennessee currently consist of over 500 pages on file in the Chancery Court, with over 500 more pages of filings between the Tennessee Court of Appeals and the Tennessee Supreme Court.

261. While no technicality should prevent a *pro se* litigant's testimony from being used to their benefit.

262. Yet Jeffrey's life remains destroyed by unsolicitous "default" judgements after he was wrongfully driven from both his home and the State of Tennessee, to merely survive.

263. Ms. Story stated, "At the August 29, 20 19 hearing in this matter, the Court set this matter for final hearing on October 21, 2019 in open Court with Mr. Jeffrey Fenton present in the courtroom."

264. I can personally attest that Jeffrey has repeatedly told me that he never expected that the final hearing in his divorce was scheduled for 10/21/2019.

265. The language used on the 8/29/2019 Order of the Court stated: "The Motion for

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<sup>113</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_husbands-one-and-done-answer-to-all.pdf](https://rico.jefffenton.com/evidence/2019-08-29_husbands-one-and-done-answer-to-all.pdf)



Violation of the Order of Protection will be reset with **the Final Hearing in this cause** set for October 21, 2019 at 9:00 a.m.”

266. The “cause” which Jeffrey understood this to be in regards to, he believed was only in regards to the issues which the court had discussed in any meaningful capacity to date, those being the alleged violation of the order of protection *ex parte*, and the outcome of the forced auction of the marital residence.

267. To confirm this, by reflecting back onto the language Jeffrey used in his “handwritten note” left at his marital residence for his ex-wife, his understanding is confirmed:

268. “IF she [Ms. Story] will drop all charges and never contact me again, then I will likewise drop my 250 page counter motion set for October 21<sup>st</sup>.<sup>114</sup>”

269. Jeffrey was of the understanding that this October 21<sup>st</sup> hearing was finally his opportunity for all of his evidence and counter-claims (included in his “One and Done”<sup>115</sup>) to be heard and considered by the Chancery Court.

270. While Jeffrey also understood Ms. Story to have promised in open court on 8/29/2019 to allow Jeffrey to participate in that 10/21/2019 hearing over the phone, because Jeffrey was involuntarily displaced to the State of Michigan, to obtain emergency replacement shelter and provision at my house, where he has been stuck residing in my basement ever since. Subsequent to his forced eviction by the sheriff’s office on 9/3/2019, per attorney Story’s specific

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<sup>114</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1071

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1989

<sup>115</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_husbands-one-and-done-answer-to-all.pdf](https://rico.jeffenton.com/evidence/2019-08-29_husbands-one-and-done-answer-to-all.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038)

request in Chancery Court on 8/29/2019.

271. Since all of their property was already gone, Jeffrey offered to give Fawn exactly what he said she had long been fighting for... a divorce where she wasn't required to pay any alimony.

272. I can personally attest to the fact that on 8/29/2019 Jeffrey filed over 250+/- pages of sworn testimony<sup>116</sup> along with clear and convincing evidence, which I have read and Jeffrey has told me that he believes answers every complaint brought against him in docket #48419B, while he also believes that it proves every action brought against him to have been substantially fraudulent.

273. Jeffrey told me that he may not have titled this document correctly, because he didn't know how, since attorney Story had combined multiple actions for hearing in court on 8/29/2019 (his first day as a *pro se*), the title was getting long, and he was overwhelmed.

274. Attorney Story's motion that day was titled, "MOTION FOR VIOLATION OF THE *EX PARTE* ORDER OF PROTECTION AND FOR DATE CERTAIN FOR WALK THROUGH OF HOUSE AND MOTION FOR SCHEDULING ORDER".

275. Jeffrey tried to copy what he had seen done by his previous counsel, by using the title of the motion and adding "Husbands Response" or similar language to the beginning of the title.

276. On this 250+/- page filing by Jeffrey, he titled it, "HUSBAND'S RESPONSE AND COUNTERMOTION TO WIFE'S MOTION FOR VIOLATION OF THE *EX PARTE* ORDER

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<sup>116</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038

OF PROTECTION AND FOR DATE CERTAIN FOR WALK THROUGH OF HOUSE AND MOTION FOR SCHEDULING ORDER”.

277. Outside court Jeffrey referred to this exhaustive filing by himself as his “ONE and DONE”. Though he did not have the foresight to title it as such during his rush to file this massive response on the court record, during his very first pro se hearing on 8/1/2019.

278. Jeffrey later tried to get the Court of Appeals to correct the title to his massive 250+/- page filing to read: “HUSBAND’S RESPONSE AND COUNTERMOTION TO WIFE’S MOTION FOR VIOLATION OF THE *EX PARTE* ORDER OF PROTECTION, AND IN OBJECTION TO ORDER GRANTING MOTION TO SELL THE MARITAL RESIDENCE, AND HUSBAND’S ANSWER AND COUNTER COMPLAINT TO WIFE’S COMPLAINT FOR DIVORCE, HEREAFTER REFERRED TO AS HUSBAND’S “ONE AND DONE””.

279. But Jeffrey told me that Ms. Story objected, and the Tennessee Court of Appels refused to correct the title or give any consideration to the fact that he never failed to plead any matter in docket #48419B.

280. Jeffrey was *pro se* in addition to his known and documented disabilities on court records. On information and belief the title being incorrectly named should not have stopped the court from considering the extensive evidence and pleadings filed on court record therein by my son. This federal *pro se* case<sup>117</sup> from Nashville seems to agree.

281. Jeffrey has told me that in his research the title of a document does not dictate its

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<sup>117</sup> [https://rico.jeffenton.com/evidence/2017-04-10\\_usdc-tnmd-fisher-v-gates-pro-se-report.pdf](https://rico.jeffenton.com/evidence/2017-04-10_usdc-tnmd-fisher-v-gates-pro-se-report.pdf)



purpose, but rather the “relief requested” indicates the purpose of a pleading.

282. The “relief requested” in Jeffrey’s “One and Done”<sup>118</sup> clearly addressed his divorce, the sale of his marital residence, and the proposed “order of protection”.

283. I can’t imagine a reasonable good faith cause for excluding this critical evidence and testimony while claiming in the FINAL DECREE OF DIVORCE, “The Court finds, based upon the **undisputed** testimony of Wife...”

284. The testimony of wife **was never undisputed**. Jeffrey did everything reasonably within his power and knowledge in good faith to be heard by the court, to dispute the testimony, and to defend himself against the unreasonable deprivation which he has suffered for over four years now, based almost entirely upon “default” judgements while there are hundreds of pages on the court records proving beyond any reasonable doubt that Jeffrey has tried to be heard and defend himself, while the court has simply refused to hear him or allow his defense in any way.

285. There are so many things wrong with this again, that it is overwhelming to articulate, and seems frankly unbelievable that a court could have proceeded in such a fashion, but the evidence is all on court records, in Jeffrey’s filings.

286. First Jeffrey had an extension for filing his divorce answer and counter complaint, by an agreement between his prior counsel Marty Duke, and attorney Story, because forcing the auction of the marital residence was apparently a higher priority for those involved.

287. On August 5<sup>th</sup> 2019, Jeffrey emailed his attorney Charles (Marty) Duke, and asked,

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<sup>118</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_husbands-one-and-done-answer-to-all.pdf](https://rico.jeffenton.com/evidence/2019-08-29_husbands-one-and-done-answer-to-all.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038)

“Can you simply inform me of any critical dates which I need to self-represent by, as I cannot afford further representation: For example, when did you get the ANSWER & COUNTER COMPLAINT extended to?”

288. To which attorney Marty Duke replied on that same day,<sup>119</sup> “There is **no definite date certain** by which I agreed with Ms. Story to file an Answer & Counter-Complaint. However, until there is an Order entered relieving us as counsel in this matter, **you should not file anything *pro se*.**”

289. On information and belief, from my understanding of this agreement between attorneys Duke and Story, Jeffrey filed his “ad-hoc” divorce answer and counter complaint to every action to date on the very first day which he was ever “allowed” to file anything *pro se* in docket #48419B, according to his counsel.

290. Additionally, Jeffrey stated in his “One and Done” on page 43, “Husband requests that the court order a two-month moratorium on any deadlines and court filings on this docket, including all motions, petitions, etc... This time is needed with Husband’s handicaps, so that he can focus on his move... This would allow the minimum time required both to pack and prepare to move, while allowing husband to break-down his office and complete the move to Michigan, without fear of concurrent litigation being filed, forcing Husband to redirect all energies to meet the emergency legal demands... After which Husband will need to assemble office furniture, and rebuild his network, get his server up and running, etc... during which time Husband will have no

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<sup>119</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1998

access to any of his files and records related to this divorce. Consequentially, until this move is completed, Husband will be physically incapable of responding to court filings without Wife first winning default judgments, which is absolutely unfair.”

291. Although the court may have found Jeffrey’s request for a “two-month moratorium” excessive, surely he was due some time for such a massive forced transition at the very start of his litigation. While Jeffrey would have never requested such accommodations had he truly no plan or intent to continue to defend his case.

292. From what Jeffrey has explained to me, based on his phone call with Mitchell Miller, Jeffrey’s previous counsel, where attorney Miller instructed Jeffrey on how to navigate the “discovery” process while representing himself *pro se*, Jeffrey still believed that to be roughly another year of litigation before him and Ms. Fenton, which Jeffrey fully planned to participate in.

293. Jeffrey’s “One and Done” was not a formal answer to anything, Jeffrey still did not believe that a formal answer was even due yet, due to attorney Marty Duke’s agreed extension with attorney Story.

294. Jeffrey wrote his “One and Done” largely to protect himself, because he could sense that some foul-play was afoot, and he believed that the false narrative portraying him as a “monster” was the underlying premise of the entire case, which he was upset that his prior counsel had failed to address, despite them only having a few days to study his case prior to his 8/1/2019 hearing.

295. Since the combination of actions levied against Jeffrey in his first 8/29/2019 hearing he believed touched upon all three significant matters before the Chancery Court, the forced sale



of his home, his divorce, and the alleged order of protection, Jeffrey took that opportunity to address each and every one as quickly and completely as he could in an emergency fashion. This is why this is referred to as an “ad hoc” answer and counter-complaint to all actions by attorney Story to date.

296. Jeffrey still believed that he had time and the opportunity to file full formal responses to each and every averment, complaint, and accusation (which he planned to do), but he was unable to in such a short period of time. So, with the primary focus being to defend himself during the 8/29 hearing for the alleged “violation of the order of protection *ex parte*”, Jeffrey also set out to “set the record straight” about each and every action which he believed to have been abusively levied against him to date, to apparently destroy his name and his credibility before the court, by correcting the court record with his “One and Done”<sup>120</sup>.

297. This was an attempt to protect himself in every way he could imagine.

298. This was an attempt to correct the record to date.

299. This was an attempt to obtain the consideration needed for him to have the slightest chance at defending his case.

300. This was an emergency answer and counter to everything to date to the best of his ability, on short notice, to protect Jeffrey from “default” judgements.

301. This was an attempt to mitigate both Jeffrey and Ms. Fenton’s damages, while asking the court to justly intervene and not require the litigation to go the full course, requiring still

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<sup>120</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_husbands-one-and-done-answer-to-all.pdf](https://rico.jeffenton.com/evidence/2019-08-29_husbands-one-and-done-answer-to-all.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038)

another year of court battles to resolve so few remaining real “merits” in their divorce.

302. This was also an attempt to formally notify the court about what Jeffrey perceived as significant harassment, bullying, and “abuse of process” by attorney Story. While asking the court to protect him from Ms. Story’s actions which he believed were in violation of the court’s rules of conduct.

- On page 30 of Jeffrey’s “One and Done”<sup>121</sup> filed in Chancery Court on 8/29/2019: “As verified by the attached exhibits, the fraudulent narrative, and the motions and petitions filed by Wife hence far, Husband respectfully asks the court for relief, under the legislation known as “Stalking by Way of the Courts”. Wife has filed abusive motions and petitions in this divorce, designed to “harass or maliciously injure” the Husband, by exhausting his economic resources and trying to force him to make financial concessions.”
- On page 31: “This is simply a litigious form of domestic assault. Also referred to as “malicious prosecution or abuse of the legal process”. All filings by Wife under Docket No: 48419B, show some form of this oppressive harassment, stalking, and domestic abuse.”
- On page 54: “Husband prays that the court will defend him in regard to Ms. Story’s abusive treatment, and/or that she be replaced by another member of her firm in this matter, having failed to act as her office should require.”

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<sup>121</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_husbands-one-and-done-answer-to-all.pdf](https://rico.jeffenton.com/evidence/2019-08-29_husbands-one-and-done-answer-to-all.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038)

- On page 54: “For the purpose or again correcting the narrative of Ms. Story’s verbal attacks by legal process, Husband wants to clarify that Wife’s desire to skip mediation has nothing to do with her fear of Husband, especially for the ridiculous benefit of being mindful of the safety of everyone else involved in the process. I’ve never been more falsely harassed by anyone, and again, I appeal to the court to please intervene.”

303. Jeffrey later reached out to the Tennessee Court of Appeals<sup>122</sup> while also notifying them about what he perceived to be ADA abuse and abuse of process by attorney Story. Unfortunately, Jeffrey’s requests appear to have *fallen to deaf ears*.

304. There are many more requests by Jeffrey within his “One and Done”<sup>123</sup> filing in Chancery Court on 8/29/2019, where he genuinely sought the courts help, protection, and accountability, to provide him with an opportunity to safely be heard and defend his case, but ultimately, they refused.

305. No part of Jeffrey’s filing appears to have been considered, and certainly hasn’t ever been used in his defense.

306. Again, Jeffrey believed that much of the misconduct was happening behind Judge Binkley’s back at first, while Jeffrey gave the court the benefit of the doubt and honestly believed that upon his informing the court about all the foul play in the docket, that Judge Binkley would rise to vindicate Jeffrey and protect his pursuit of justice. Unfortunately, that never happened.

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<sup>122</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1749-1752

<sup>123</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_husbands-one-and-done-answer-to-all.pdf](https://rico.jeffenton.com/evidence/2019-08-29_husbands-one-and-done-answer-to-all.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038)



307. I don't believe that anybody can read this and reasonably conclude that Jeffrey didn't try with every fiber of his being to honor and respect the court, to participate and try to be heard, and to defend his case to the absolute best of his abilities. Certainly, regardless of any other facts in this case, Ms. Story and Ms. Fenton's claims were without doubt "**disputed**".

308. On information and belief, I cannot see how any good faith "default" judgments could have been ordered against Jeffrey on October 21<sup>st</sup>, 2019, especially without allowing Jeffrey to attend over the phone and he was told previously by attorney Story in open court on 8/29/2019.

309. Stated by attorney Story on page 24, lines 1-5 of the 8/29/2019 transcript of evidence<sup>124</sup>, "MS. STORY: Since he probably will be moving to Michigan, I would be amenable to him attending the final hearing by telephone if he doesn't want to drive back. And I can tell you, I will try to accommodate him in any way I can."

310. Yet they obviously changed their minds and failed to notify Jeffrey of their decisions, to provide him any opportunity at all to correct any misunderstandings or to have any chance to be heard and to defend himself about otherwise devastating "default" orders of arbitrary and unjust deprivation.

311. This is so clear and overwhelming, I don't understand why nobody will fix it and restore Jeffrey's life, liberty and freedom to him, at the very least.

312. On information and belief, the Tennessee courts have unconstitutionally deprived my son of his life, his rights, his property, and his freedom, without equal and due process of law.

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<sup>124</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1993

313. The FINAL DECREE OF DIVORCE<sup>125</sup> dated 10/21/2019 declares the “Husband has not filed an Answer and has had two attorneys both of whom have withdrawn.” But I know that Jeffrey’s first attorney negligently failed to perform,<sup>126</sup> and his second counsel used up all his funds and part of mine during the first hearing.<sup>127</sup> So, it is clearly not Jeffrey’s fault he did not have counsel. See paragraph 6 herein.

314. On information and belief, my son never failed to plead, or to mount a defense, which I understand are essential for “default” judgments to have been issued in good faith and to stand.

315. Contrary to the FINAL DECREE OF DIVORCE<sup>128</sup> indicating Jeffrey “has not filed an Answer,” I know that my son filed an extensive ad-hoc answer and counter claim on August 29, 2019<sup>129</sup>, to every claim brought against him as of that date, which he brought to the court and attempted to address that day as shown in #48419B and was his very first *pro se* hearing. I know this because I listened to the audio recording of the proceeding and read the transcript.

316. According to what attorney Duke told Jeffrey in an email that I saw, Jeffrey was not to file anything *pro se* until his counsel was released by the court,<sup>130</sup> which also took place on the morning of August 29, 2019. Hence, that morning was the very first opportunity Jeffrey had, as far as I know, when he was ever “allowed” to file anything *pro se* in the chancery court.

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<sup>125</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1994-1997

<sup>126</sup> [https://rico.jefffenton.com/evidence/2019-07-26\\_attorney-gates-failed-to-perform.pdf](https://rico.jefffenton.com/evidence/2019-07-26_attorney-gates-failed-to-perform.pdf)

<sup>127</sup> [https://rico.jefffenton.com/evidence/2019-08-02\\_attorneys-miller-duke-retainer-exhausted.pdf](https://rico.jefffenton.com/evidence/2019-08-02_attorneys-miller-duke-retainer-exhausted.pdf)

<sup>128</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1994-1997

<sup>129</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038

<sup>130</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1998

317. Jeffrey told me that he frantically emailed attorneys Duke and Miller hundreds of pages of clear evidence that most, if not all, of the claims brought against him by attorney Story were substantially fraudulent.

318. Also, the FINAL DECREE OF DIVORCE<sup>131</sup> declares, “The Court finds, based upon the undisputed testimony of Wife, a witness for Wife as to the grounds for the divorce, the exhibits introduced in this cause, and the record as a whole, that the following shall be the Order of this Court.” I cannot believe that it uses the phrase “undisputed testimony” when my son filed hundreds of pages countering<sup>132</sup> much of what attorney Story has said and provided to the court— because it was false and/or fraudulent.

319. My son tells me that he has repeatedly asked who the “witness for Wife as to the grounds for the divorce” is, but nobody will tell him this.....nor tell him why he was never noticed in the bankruptcy<sup>133</sup>.....nor provide him with a final fully executed HUD-1<sup>134</sup> after the home was “auctioned,” showing what his home sold for along with exactly where the proceeds of that sale went. All which he has repeatedly asked for, from the attorneys, the closing company, the auctioneers, the court, but nobody will provide him with the information.

320. In “Husband’s Response to Wife’s Motion to Sell Marital Residence<sup>135</sup>” filed by

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<sup>131</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1994-1997

<sup>132</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038

<sup>133</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1760-1761

<sup>134</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1992

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.559-562

<sup>135</sup> [https://rico.jeffenton.com/evidence/2019-07-29\\_response-to-wifes-motion-to-sell-residence.pdf](https://rico.jeffenton.com/evidence/2019-07-29_response-to-wifes-motion-to-sell-residence.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.692-702)



attorney Duke on 7/29/2019, Mr. Duke stated: “COMES NOW the Defendant/Husband, Jeffrey Ryan Fenton, by and through his attorneys of record, Charles M. Duke and Mitchell Miller, and for Response to Wife’s motion to Sell the Marital Residence, would respectfully request that the hearing on the motion be continued for a short period of time, due to the fact that undersigned counsel only has been retained to represent the Defendant/Husband as of the filing date required of this response, the same being July 29, 2019, and an Agreed Order of Substitution of Counsel is being filed concurrently herewith regarding the same. Therefore, counsel for the Defendant would respectfully submit that additional time is necessary for undersigned counsel to review the matter fully and meet with their client, so as to fully and completely respond to a motion that will have such enormous bearing on the parties moving forward in this matter.”

321. Jeffrey told me that both attorney Story and Judge Binkley refused to grant Jeffrey and his counsel an extension of time so they could adequately prepare to defend Jeffrey before the court forced the sale of his real property.

322. In the transcript I read for the proceedings in chancery court on August 1, 2019, Attorney Mitchell stated,<sup>136</sup> “...we do think that because the main asset in this divorce is this home, which we are essentially disposing of before there’s been any discovery and any further analysis on this, that we need to proceed in a way that absolutely maximizes the total take on this.”

323. I believe the response by Judge Binkley<sup>137</sup>, “Under the circumstances,” proves that he was already biased against my son. There is no impartiality with such a statement. Justice did

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<sup>136</sup> [https://rico.jefffenton.com/evidence/2019-08-01\\_chancery-hearing-transcript.pdf](https://rico.jefffenton.com/evidence/2019-08-01_chancery-hearing-transcript.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1202)

<sup>137</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1202

not flow from judgments in chancery court, nor has there been any justice in subsequent judgments in other courts.

324. On information and belief, anyone trained in the law might ask what business the chancery court had in disposing of real property, which was part of an estate under *exclusive* jurisdiction<sup>138</sup> of federal court in a bankruptcy filed 39-days prior to any state action in the chancery court.

325. On information and belief, my son was portrayed as a monster and still is to this day—in what appears to be fraudulently derived “default” judgments by an out of state court, whose personnel refused to follow the court’s rules of professional and judicial conduct or obey state and federal laws.

326. I find it disturbing that there was never a hearing to determine if any of the outrageous claims against my son were supported by fact, before they were presumed by the court to be both fact and true, while my sons counsel was denied time to prepare such an expansive defense, and his home was ordered taken during his very first hearing, before discovery had even begun.

327. Considering the extraordinary impact of the loss of the greatest asset in both Jeffrey and his wife’s lives—the marital home—the court should not have refused the necessary time to adequately prepare Jeffrey’s defense and prevented him from being heard, nor should it have begun the disposal of the marital home during the very first hearing in what Jeffrey said he expected to be

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<sup>138</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882, 1891-1892

a yearlong litigation process for obtaining a contested divorce in Williamson County Tennessee.

328. I believe that the unfounded, unsubstantiated, and substantially false claims made by Jeffrey's ex-wife and her counsel throughout three separate motions were done to strategically overwhelm Jeffrey and exploit the symptoms of his known and fully disclosed disabilities<sup>139</sup>, thereby preventing him from being able to effectively multi-task and defend himself against multiple legal attacks simultaneously.

329. In court on August 1, 2019, attorneys Duke and Miller told the court they had only been retained by Jeffrey a few days prior, in an emergency effort to replace Ms. Gates. They requested a few more days to become familiar with the case and go through hundreds of pages of evidence Jeffrey sent to them so they could organize the evidence and prepare to present the truth to the court—all before the court ordered the unrecoverable loss of the greatest asset in their marriage, the home, during the very first hearing in the case; however, both attorney Story and Judge Binkley refused to allow them any more time to study the case and prepare a more suitable defense for Jeffrey.

330. The court set a final hearing date in the order entered on August 29, 2019, which Jeffrey showed me. He told me he thought the "hearing" would be for the violation of the PO and "sale" of house, not a final hearing on the case since discovery had not even begun and all contested civil cases end in a "trial"!

331. I've never heard of someone who doesn't want to be heard and defend their case,

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<sup>139</sup> [https://rico.jefffenton.com/evidence/2019-01-23\\_riding-an-exercise-bicycle-peddling-furiously.pdf](https://rico.jefffenton.com/evidence/2019-01-23_riding-an-exercise-bicycle-peddling-furiously.pdf)  
[https://rico.jefffenton.com/evidence/2019-02-09\\_wife-hates-that-plaintiff-can-not-multi-task.pdf](https://rico.jefffenton.com/evidence/2019-02-09_wife-hates-that-plaintiff-can-not-multi-task.pdf)



fighting day and night for four-long years, trying to get anyone to apply their own sworn testimony and evidence filed on the court records in their defense.

332. I believe the reason the court record in this federal case is so verbose is that the state courts in Tennessee refused to hear my son's testimony or consider his evidence. Time after time Jeffrey has done everything known within his power to be heard, while each and every court has denied his most basic constitutional rights to due process. Therefore, as he moves through the immovable courts, the record and evidence gets longer and longer.

333. It is not Jeffrey's fault that it takes an obscene amount of documentation to prove that the primary substance which took place in his case was no more than fraud imagined and executed. That wasn't Jeffrey's choice. That was the choice of counsel and government personnel involved. Jeffrey's ex-wife's attorneys could have just as easily argued their case based upon its real merits, but that would not have yielded the favorable outcome they wanted.

334. I pray that this court will deliver justice and restore life, liberty, freedom, and wholeness to my son without requiring more torturous years of his life. Please cease to intentionally harm, threaten, and silence him, and stop pressuring him not to expose or share the truth.

335. The odds could not be more sharply stacked against my son, but he needs *and is due* relief. There is no other way forward for him.

336. The courts have a responsibility here if they want the people to trust them with the most critical life-altering decisions they face. There must be accountability and liability for the unconscionable losses and damages incurred.

337. Justice delayed is justice denied. Justice denied is also justice denied. People can

only survive and sustain so much, before it physically, financially, and psychologically destroys them. I'm lucky that my son has survived so far.

338. This is the fourth court to see this ridiculousness. It is time for justice; please deliver it!

339. There is so much more... it's simply overwhelming. The court doesn't want to read it and Jeffrey hasn't had time to even write it all yet.

340. Unless a court invest the time and care to fact check the evidence in this case **or vacate every previous void order** for bias, misconduct, lack of jurisdiction, lack of lawful authority, violating state and federal laws, criminal conduct, etc...

341. Tenn. R. Sup. Ct. 2.11 - Disqualification(a)(1) The judge has a **personal bias or prejudice** concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

342. Tenn. R. Sup. Ct. 2.11 - Disqualification(a)(1) The judge has a **personal bias or prejudice** concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

343. Frankly, I don't believe that automatic "disqualification" for bias could be more clear in this case. From what I can see, "bias" appears to be the least seditious charge by which a fraction of the foul play on record in this case could attempt to be justified and honestly addressed.

344. It still requires a court to do the right thing in the honest pursuit of justice. There is no honor in continuing to enable and hide gross misconduct, in stark violation of the constitutional rights of litigants. **Especially** regarding vulnerable litigants such as those who are *pro se* or disabled.

**Especiall**y when they have proceeded honorably in good faith with the court, filing true, honest, and fair responses, without playing games or trying to manipulate the court or “*game*” the outcome in any manner. **Especiall**y when despite their sincere efforts, previous courts have obviously treated them disparagingly.

345. We are better than that in the United States of America. We need to demand that we remain better than that in the United States of America. Or “law” becomes a farse, “courts” become irrelevant, and “justice” loses all meaning.

346. Personally, I believe in a United States of America which is better than that. Which if nothing else, holds TRUTH higher than lawless deprivation of that which is good, lawful, just, righteous, and peaceful.

347. Jeffrey was *broken* by a court, while his *rights* and his *freedoms* continue to be held *hostage* under the color of law, by the State of Tennessee.

348. It is beyond Jeffrey’s power, will, deeds, and reach to fix this debilitating miscarriage of justice. It requires the agreement of an honorable and brave defender of justice, who cares more about the honest execution of justice for the benefit of our nation than about the clamor of peer pressure by their colleagues.

349. Who refuses to extend “professional courtesy” to other judges when such a “courtesy” requires violating their oath of office, the judicial canons, and/or covering up serious felony crimes by members of the court against litigants who sincerely operated in good faith.

350. “An independent and honorable judiciary is indispensable to justice in our society. A judge should maintain and enforce high standards of conduct and should personally observe



those standards, so that the integrity and independence of the judiciary may be preserved. The provisions of this Code should be construed and applied to further that objective.”

351. “A judge should respect and comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.”

352. “A judge should not allow family, social, political, financial, or other relationships to influence judicial conduct or judgment. A judge should neither lend the prestige of the judicial office to advance the private interests of the judge or others nor convey or permit others to convey the impression that they are in a special position to influence the judge. A judge should not testify voluntarily as a character witness.”

353. “The duties of judicial office take precedence over all other activities. The judge should perform those duties with respect for others, and should not engage in behavior that is harassing, abusive, prejudiced, or biased.”

354. “A judge should be faithful to, and maintain professional competence in, the law and should not be swayed by partisan interests, public clamor, or fear of criticism.”

355. “A judge should take appropriate action upon receipt of reliable information **indicating the likelihood that a judge’s conduct contravened this Code**, that a judicial employee’s conduct contravened the Code of Conduct for Judicial Employees, **or that a lawyer violated applicable rules of professional conduct.**”

356. I pray that the canons above mean as much to this court and anyone reading this, as they do to our family in this hour.

357. **My son needs your help... will this court please help him?**

358. Thank you for your time and consideration.

**DECLARATION**

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct, except as to matters herein stated to be on information and belief, and as to such matters, I certify as aforesaid that I verily believe the same to be true.

Executed on January 16, 2024

*Marsha Ann Fenton*

**MARSHA ANN FENTON, *PRO SE***

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**1**



My name is Fawn Fenton and I have been married to Jeff Fenton for 13 years. Jeff and I have been separated since April 22, 2018 and I have not seen him since sometime in April when we met to file our taxes. Prior to that I had not seen him since December 2018. I filed for divorce on June 4, 2019.

I am in fear for my safety based on the repeated harassment that has continued to occur. Over the last several weeks Jeff has sent me numerous text messages and lengthy e-mails talking about his intentions on ruining my life, causing me issues with my employer and clients at work, ruining my credit and financially ruining me. As a result of Jeff's continued verbal and emotional abuse and deliberate non-cooperation, I have filed for bankruptcy to preserve my finances. Upon finding out about the bankruptcy petition, Jeff became enraged and his incessant texts and e-mails have been upsetting and vindictive. Just as an example, from June 12 through June 16, Jeff sent me 12 e-mails all of substantial length, describing how he plans on ruining my life. I am attaching just a snapshot of my email account showing the number of e-mails sent from June 12-16. The length of the emails would be too long to attach; however, I have saved them all. In addition, Jeff continues to send me numerous text messages, some very lengthy. In some of the texts he uses derogatory language, calling me a "bitch." On June 14, 2019 he sent me 8 text messages within in less than 40 minutes. The next day, June 15, 2019 he sent me 16 text messages over the course of 4 hours, several of which were extremely lengthy. I have asked Jeff on several occasions to stop e-mailing and texting me, however, he continues to repeatedly harass me. At this point all of his communication to me is not consensual and I have relayed this to Jeff multiple times. On June 15, 2019 Jeff left me a voicemail on my cell phone stating that if I did not call him back or respond to his emails or text messages that he was going to "show up at my work or apartment to try to get some information out of me." I am fearful that he will actually show up at my work, as he has done so in the past and has sabotaged my work e-mails. Jeff has been employed in IT and is very tech savvy. In the past he was able to remotely log into my work computer and delete all e-mails that had his name in them. My company has already spent a considerable amount of money hiring a new IT support team to try and close loopholes and delete Jeff's access to our system, but we are still finding settings that reference Jeff's settings or route to his e-mails. Jeff has also threatened to post derogatory comments anonymously on the internet about both myself and my company. This cyber stalking could potentially cost me my job and career. I am fearful for what he may try to do now that I have filed for divorce and am not responding to his threats.

On June 16, 2019 in one of his lengthy e-mails he stated, "I wish we would have had an asteroid fall on our home and kill us (or at least me)", the day before I discovered your plans to divorce me." Jeff is a licensed gun carrier and has many weapons, and I am in fear of what he may do to me if this continues. Jeff refers to himself as a part of the "extraction team" and lives a very paranoid life. He installed extensive home monitoring at our marital residence including surveillance videos and audio recording systems.

**The harassment has caused me undue emotional stress and anxiety. I am unable to sleep well, and his harassment is causing trouble in my day to day life. The continued texting and e-mailing are interfering with my ability to perform my job and I fear that if these things continue that I will reach a point of an emotional breakdown.**

**2**



I've been married three times. **First Wife:** 18-20. **Second Wife:** mid-twenties, lasted 4-years. **Third & Last Wife:** 2005-2019 (WILCO Docket #48419B). For the sake of protecting their anonymity (within this document), I will call my most recent wife by a very fond, private pet name, "**Tootie**". (It might not sound flattering, but it originated from the greatest fondness, and was never used derogatorily!) I will refer to my second wife here, as "**Previous Wife**" or "**Prior Wife**".

*Pastors Jon & Kitty Sterns (Franklin Vineyard), Pastors Jerry & Cindy Bryant (Nashville Vineyard), Dr. Roy Hamley (Woodmont Hills Counseling Center), and [Redacted] Tootie (Girlfriend Extraordinaire):*

## Greetings!

This started off as an introduction letter to the Sterns, as they've succeeded in learning very little about me thus far (which I'll credit to my avoidance) but I've come to a point where I want to move forward, and to be **unknown** has never been my desire. (Did I hear the Bryant's say "AHMEN"? LOL) It requires a certain fondness, or at least a willingness to read, in order to grow very close to me.

The biggest emotional/spiritual problem that I have struggled with this past year, is the **absolute inability to "balance accounts"** from my past. My past relationships with God, the Vineyard (Nashville), and my **[Redacted] Previous Wife**. For that reason I've decided to also use this letter to try to put language to some of those issues, and am hoping that this will be an instrument that will help bring about closure. Jerry & Cindy – I think that there were a lot of things that were unsaid, but understood, yet I feel that I owe you a direct explanation of why I left the church, the nature of my hurts & resentments prior to leaving, the reason that now in coming back to church I have chosen the Franklin Vineyard over Nashville, and to tell you both once again that **I love you very much and truly appreciate the investment that you made into my life.**

I've decided to do this in an open format, copied to all those mentioned above, hoping **not** to cause anyone shame, or expose anyone's nakedness, but rather because I think it is important for all those addressed to understand **My Journey**, what has brought me to this point, decisions I've made and why, and how this all has impacted me thus far. Further I don't wish to speak behind anyone's back (except **[Redacted] Prior Wife** for reasons that shall become obvious later on). I've included Dr. Roy Hamely in the addressing of this letter as he is a Christian Counselor who is currently working with **[Redacted] Tootie** and myself, both individually and as a couple, to help aid us in moving forward. I've also copied this letter to **[Redacted] Tootie**, though much of it may be hard for her to read as it pertains to my ex-wife **[Redacted] Prior Wife**. I think that it is important that as we move forward together, we both are knowledgeable about what has brought us each to this point, and the struggles that we still face (individually and together) even if those struggles do not directly involve the other.

First off, in regards to the Pastoral oversight, Counseling, and Care, I give you all complete permission to speak freely with each other about me. **I am largely an open book. If you have something to say, or a burden on your heart, please don't tip-toe with me, just say it.** I seem to possess an anointing that at some point causes even the most conservative pastor to swear, in an attempt to get through to me. So I expect this. Please feel free to cuss as you must. LOL

**Please honor my request that you treat this letter with the absolute of confidentiality.** It is intended for those who are named at top and absolutely no one else.



The only REAL "evidence" in #48419B are **MY OWN WORDS**. While they refuse to even allow me to provide the CONTEXT within which they were spoken, the background and history behind them. WHY I said what I said, WHEN I said it. Or what my words were even MEANT to communicate & convey! I'm just accused of texting/emailing **TOO MUCH** (try the "block" button), labeling me an "abusive stalker". **WORDS MEAN SOMETHING!** I'm **NO MORE** of a "STALKER", than anyone reading this is a "PEDOPHILE"! To assassinate my character while REFUSING to HEAR my TESTIMONY & DEFENSE, is an unconscionable ABUSE OF POWER, causing me to suffer "OFFICIAL OPPRESSION" for well over 2 years now!

# Contents:

(It's a bad sign when a letter has a "Table of Contents".)

- 1 Intro
- 2 Contents
- 3 Father – Adolescents – Vegas
- 4 Meet the Vineyard (Nashville)
- 5 The Sweat Shop
- 6 **Met Prior Wife**
- 7 Marriage [REDACTED]
- 8 [REDACTED]
- 9 True Love
- 10 [REDACTED]
- 11 Father vs. Husband
- 12 Different Journeys
- 13 [REDACTED]
- 14 Love / Hate Relationship
- 15 [REDACTED]
- 16 Dear Jeff
- 17 [REDACTED]
- 18 Purging the **Prior Wife** Files
- 19 [REDACTED]
- 20 Divorced **Previous Wife**
- 21 [REDACTED]
- 22 I'm never going to know! – Seeking Counsel
- 23 The Prophecy
- 24 Why did I leave the Vineyard (Nashville)?
- 25 Hurts and Resentments
- 26 Vineyard Mass Exodus
- 27 In Steps **Tootie**
- 28 **Tootie** Meets God
- 29 Walking Through Doors - Conclusion

It may be **UNUSUAL** to be so **verbose**, but everyone is different, **there is certainly no crime in that!** I have been a **WRITER** who best communicates through writing since my **TEENS!** That is my **FIRST AMENDMENT RIGHT!** It is how I'm wired! How I personally **process** life and communicate most effectively. "Tootie" knew that when we met, long before we ever got married.

*My writing has by far attracted more women in my life than any other quality about me. Many women find my intense honesty, vulnerability, and sincerity, combined with my ability to articulate it, to be rare and something which they are attracted to, and/or can deeply RELATE with!*

**Most of my life writing has been my most applauded strength and "gift".** I've helped change policies throughout the State of Tennessee, before with this "gift". I've been thanked by governors, senators, mayors, given a special award... Often (if not **USUALLY**), Tootie **EDITED** my writing for grammar, punctuation, spelling, and overall content. Tootie showed little dislike for my writing, until she **LEFT** me, and it reminded her of the **TRUTH**, which we had both experienced together. Our promises to each other, while I tried to persuade her onto a healthier path for **herself**.

**NEVER ONCE, in 15-YEARS, had I heard the word "ABUSE" or "Emotional Abuse" from "Tootie", until she secretly met with her first DIVORCE ATTORNEY!** We walked very closely with numerous counselors, mentors, pastors, leaders in our lives, we have worked through several of our **OWN** issues and relational challenges. Yet **NEVER ONCE** was I remotely accused of "abusing" my beloved "Tootie" in **ANY WAY, SHAPE or FORM!** (Such claims are no less than litigious terrorism!)

The point of me sharing this document with the Court is not the **CONTENT**, it is the **VERBOSITY**, the **BULK OF WRITTEN CONTENT**, a **THIRTY-PAGE** written letter **PRIOR** to marriage - where there were no secrets, all the cards were **ALWAYS** on the table (at least from my end)! This also shows the level of **AUTHENTICITY, HONESTY, OPENNESS, TRANSPARENCY, VULNERABILITY,** and the level of **ACCOUNTABILITY** that I've walked in for **DECADES!** This is **WHO I AM!** Regardless of what those with an agenda pretend or claim!

I have a **LIFETIME** of **EVIDENCE** proving **MY IDENTITY!** I belonged to writers groups at church. I founded **NashvilleChristian.com**, as I met with church leaders throughout the mid-state. Twice I was a guest on local radio programs. While I designed, administered and managed the website and fax service prior, for over a decade. I also served as Tootie's **SOUND BOARD**. She shared and bounced everything off of me, **DAILY**, while I helped her and her company in any way that I could! I communicated with Tootie probably **5-25 times per day** on average, via texts, emails and phone calls. We were connected at the hip, and together a force to be reckoned with! (This was as much by HER will as it was by MINE!) We were a **TEAM!**

Unfortunately, our greatest strengths are often our greatest weakness, when our lives enter into a state of trauma. (Hence, I do regret some things that I've said and done.) Yet **REALITY** is **NOTHING** as has been fraudulently claimed, to bind and discard me, without cost or consequence.

3



**UNITED STATES BANKRUPTCY COURT  
 MIDDLE DISTRICT OF TENNESSEE  
 NASHVILLE DIVISION**

In re: § Case No. 3:19-BK-02693  
 §  
 FAWN ██████████ FENTON §  
 §  
 §  
 Debtor(s) §

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION REPORT  
 CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED  
 AND APPLICATION TO BE DISCHARGED (TDR)**

John C. McLemore, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <i>(without deducting any secured claims)</i>	\$1,250.00	Assets Exempt:	\$11,000.00
Total Distributions to Claimants:	\$3,028.98	Claims Discharged Without Payment:	\$55,593.59
Total Expenses of Administration:	\$1,371.02	ATTORNEY STORY: —	\$11,514.50
		(SEE PAGE-4)	\$44,079.09

3) Total gross receipts of \$4,400.00 (see Exhibit 1), minus funds paid to the debtor(s) and third parties of \$0.00 (see Exhibit 2), yielded net receipts of \$4,400.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Secured Claims (from Exhibit 3)	\$11,672.82	\$308,190.92	\$0.00	\$0.00
Priority Claims:				
Chapter 7 Admin. Fees and Charges (from Exhibit 4)	NA	\$1,371.02	\$1,371.02	\$1,371.02
Prior Chapter Admin. Fees and Charges (from Exhibit 5)	NA	\$0.00	\$0.00	\$0.00
Priority Unsecured Claims (From Exhibit 6)	\$0.00	\$0.00	\$0.00	\$0.00
General Unsecured Claims (from Exhibit 7)	\$59,845.46	\$37,324.85	\$35,314.85	\$3,028.98
<b>Total Disbursements</b>	\$71,518.28	\$346,886.79	\$36,685.87	\$4,400.00

4). This case was originally filed under chapter 0 on 04/26/2019. The case was converted to one under Chapter 7 on 12/06/2019. The case was pending for 13 months.

5). All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6). An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 01/09/2021

By: /s/ John C. McLemore  
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.



**EXHIBITS TO  
 FINAL ACCOUNT**

**EXHIBIT 1 – GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN. CODE	AMOUNT RECEIVED
2017 Toyota Prius Mileage: 30,000 Other Information: VIN: [REDACTED]	1129-000	\$4,400.00
<b>TOTAL GROSS RECEIPTS</b>		<b>\$4,400.00</b>

The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

**EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES**

NONE

**EXHIBIT 3 – SECURED CLAIMS**

NONE

CLAIM NUMBER	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
6	BancorpSouth Bank	4110-000	\$0.00	\$54,863.54	\$0.00	\$0.00
7	Toyota Motor Credit Corporation	4210-000	\$11,672.82	\$12,600.00	\$0.00	\$0.00
8	Specialized Loan Servicing LLC	4110-000	\$0.00	\$240,727.38	\$0.00	\$0.00
<b>TOTAL SECURED CLAIMS</b>			<b>\$11,672.82</b>	<b>\$308,190.92</b>	<b>\$0.00</b>	<b>\$0.00</b>

**EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
John C. McLemore, Trustee	2100-000	NA	\$1,100.00	\$1,100.00	\$1,100.00
John C. McLemore, Trustee	2200-000	NA	\$83.69	\$83.69	\$83.69
Pinnacle Bank	2600-000	NA	\$6.33	\$6.33	\$6.33
U.S. Bankruptcy Court Clerk	2700-000	NA	\$181.00	\$181.00	\$181.00
<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>			<b>NA</b>	<b>\$1,371.02</b>	<b>\$1,371.02</b>

**EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES**

NONE

**EXHIBIT 6 – PRIORITY UNSECURED CLAIMS**

CLAIM	CLAIMANT	UNIFORM	CLAIMS	CLAIMS	CLAIMS	CLAIMS
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NUMBER	TRAN. CODE	SCHEDULED	ASSERTED	ALLOWED	PAID	
1	IRS Insolvency	5800-000	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL PRIORITY UNSECURED CLAIMS</b>			<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**EXHIBIT 7 – GENERAL UNSECURED CLAIMS**

CLAIM NUMBER	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
2	Ascend Federal Credit Union	7100-000	\$12,900.65	\$12,900.65	\$12,900.65	\$1,106.50
3	Ascend Federal Credit Union	7100-000	\$4,212.89	\$5,000.00	\$2,990.00	\$256.45
4	American Express National Bank	7100-000	\$9,518.02	\$9,518.02	\$9,518.02	\$816.37
5	Capital One Bank (USA), N.A.	7100-000	\$9,906.18	\$9,906.18	\$9,906.18	\$849.66
	BanCorp South	7100-000	\$0.00	\$0.00	\$0.00	\$0.00
	Bank of America	7100-000	\$11,793.22	\$0.00	\$0.00	\$0.00
	Chase Card	7100-000	\$0.00	\$0.00	\$0.00	\$0.00
	Specialized Loan Servicing, LLC	7100-000	\$0.00	\$0.00	\$0.00	\$0.00
	Virginia Lee Story	7100-000	\$11,514.50	\$0.00	\$0.00	\$0.00
<b>TOTAL GENERAL UNSECURED CLAIMS</b>			<b>\$59,845.46</b>	<b>\$37,324.85</b>	<b>\$35,314.85</b>	<b>\$3,028.98</b>

FORM 1  
 INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT  
 ASSET CASES

Page No: 1

Exhibit 8

Case No.: 19-02693-CW3-7  
 Case Name: FENTON, FAWN  
 For the Period Ending: 1/9/2021

Trustee Name: John C. McLemore  
 Date Filed (f) or Converted (c): 12/06/2019 (c)  
 §341(a) Meeting Date: 01/06/2020  
 Claims Bar Date: 05/04/2020

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Value	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA =§ 554(a) abandon.	Sales/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #					
1	2017 Toyota Prius Mileage: 30,000 Other Information: VIN: [REDACTED]	\$14,500.00	\$6,188.16	\$4,400.00	FA
2	Sofa, Rugs, End Table, Coffee Table, Bedroom Suite, Bookshelves, Gun Safe, Table & Chairs, Toaster, Pots & Pans, Misc. Household items	\$1,420.00	\$0.00	\$0.00	FA
3	TV, Tablet	\$575.00	\$0.00	\$0.00	FA
4	Breyer Horses	\$450.00	\$0.00	\$0.00	FA
5	AR15, FN-FAL, Glock 23, Rugger SP101	\$2,750.00	\$50.00	\$0.00	FA
6	Clothing/Shoes/Purse	\$500.00	\$0.00	\$0.00	FA
7	Wedding Ring \$1500 and Costume jewelry	\$1,200.00	\$300.00	\$0.00	FA
<b>Asset Notes:</b> Jeweler said worth \$300. Burdensome Asset.					
8	Dog, 2 Bunnies, Fish	\$0.00	\$0.00	\$0.00	FA
9	Items in storage Books, Luggage, Pet Supplies, Christmas Decorations	\$435.00	\$0.00	\$0.00	FA
10	2 Aquarium located at [REDACTED]	\$425.00	\$0.00	\$0.00	FA
11	Cash	\$200.00	\$0.00	\$0.00	FA
12	Checking First Farmers & Merchants	\$1,349.36	\$0.00	\$0.00	FA
13	Checking Ascend Federal CU	\$0.00	\$0.00	\$0.00	FA
14	Savings First Farmers & Merchants	\$1,350.65	\$0.00	\$0.00	FA
15	Savings Ascend Federal CU	\$272.60	\$0.00	\$0.00	FA
16	Checking MIT FCU (u)	\$255.00	\$0.00	\$0.00	FA
17	Savings MIT FCU (u)	\$200.55	\$0.00	\$0.00	FA
18	Cellphone, Laptop (u)	\$550.00	\$0.00	\$0.00	FA

TOTALS (Excluding unknown value)

\$26,433.16

\$6,538.16

\$4,400.00

Gross Value of Remaining Assets

\$0.00

Major Activities affecting case closing: Case 3:19-bk-02693 Doc 136 Filed 01/26/21 Entered 01/26/21 17:46:21 Desc Main Document Page 5 of 8  
 07/21/2020 Filed Amended Claims Recommendation.



FORM I  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page No: 2

Exhibit 8

Case No.: 19-02693-CW3-7  
 Case Name: FENTON, FAWN  
 For the Period Ending: 1/9/2021

Trustee Name: John C. McLemore  
 Date Filed (f) or Converted (c): 12/06/2019 (c)  
 §341(a) Meeting Date: 01/06/2020  
 Claims Bar Date: 05/04/2020

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Value	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA = § 554(a) abandon.	Sales/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
07/07/2020		PC with Virginia Story 615-790-1778 who represents the Debtor in her Williamson County Divorce (Judge Binkley)			
07/02/2020		PC from Jeff Fenton?? Debtor's former husband talked with him for more than 30 minutes.			
05/27/2020		Filed Mt to Allow/Disallow Claims.			
05/13/2020		Email to Jodie Thresher re: claims.			
04/15/2020		Fawn Fenton picked up her ring.			
04/01/2020		Email to Jody Thresher and Mary Beth Ausbrooks about Debtor's ring			
03/19/2020		Filed Report of Sale.			
03/19/2020		Jeweler said diamond ring and wedding band was worth \$300. Burdensome asset. Will return ring to Debtor.			
02/19/2020		Gave diamond ring and wedding band to Bobby Colson who will get a valuation.			
02/10/2020		Filed Mt to Sell Equity in Vehicle to Debtor for \$4,400.			
02/03/2020		Claims bar 5/4/2020.			
01/30/2020		Debtor wants to buy equity in vehicle			
01/30/2020		Email to Jodie Thresher about wedding ring.			
01/28/2020		Calculation of value of equity in 2017 Toyota Prius			
01/20/2020		PC with Paul Spina counsel for Toyota Motor Credit.			
01/08/2020		Email from Jodie Thresher, Debtor's attorney - Just wanted to give you a heads up that we will be filing an Amended Schedule A/B and C on this case.			
01/07/2020		Email to Mary Beth - John told Ms. Fenton yesterday that he would like an independent valuation of her 2017 Toyota Prius. See attached instructions to forward to your client.			

Initial Projected Date Of Final Report (TFR):

Current Projected Date Of Final Report (TFR):

/s/ JOHN C. MCLEMORE  
 JOHN C. MCLEMORE



**CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No. 19-02693-CW3-7  
 Case Name: FENTON, FAWN  
 Primary Taxpayer ID #: \*\*\_\*\*\*4153  
 Co-Debtor Taxpayer ID #:  
 For Period Beginning: 4/26/2019  
 For Period Ending: 1/9/2021

Trustee Name: John C. McLemore  
 Bank Name: Pinnacle Bank  
 Checking Acct #: \*\*\*\*\*0194  
 Account Title:  
 Blanket bond (per case limit): \$720,000.00  
 Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
02/05/2020	(1)	Diane D. Winters EX-WIFE'S MOM PAID TO KEEP NEW PRIUS!	Equity in 2017 Toyota Prius per 2-10-2020 Motion to Sell [Dkt. No. 99]	1129-000	\$4,400.00		\$4,400.00
07/31/2020		Pinnacle Bank	Service Charge	2600-000		\$77.00	\$4,323.00
08/03/2020		Pinnacle Bank	Service Charge	2600-000		(\$77.00)	\$4,400.00
08/03/2020		Pinnacle Bank	Service Charge	2600-000		\$6.33	\$4,393.67
09/03/2020	3001	U.S. Bankruptcy Court Clerk	Motion to Sell Filing Fee (Docket No. 99)	2700-000		\$181.00	\$4,212.67
12/12/2020	3002	John C. McLemore	Trustee Compensation	2100-000		\$1,100.00	\$3,112.67
12/12/2020	3003	John C. McLemore	Trustee Expenses	2200-000		\$83.69	\$3,028.98
12/12/2020	3004	Ascend Federal Credit Union	Final Distribution	7100-000		\$1,106.50	\$1,922.48
12/12/2020	3005	Ascend Federal Credit Union	Final Distribution	7100-000		\$256.45	\$1,666.03
12/12/2020	3006	American Express National Bank	Final Distribution	7100-000		\$816.37	\$849.66
12/12/2020	3007	Capital One Bank (USA), N.A.	Final Distribution	7100-000		\$849.66	\$0.00

<b>TOTALS:</b>	\$4,400.00	\$4,400.00	\$0.00
Less: Bank transfers/CDs	\$0.00	\$0.00	
<b>Subtotal</b>	<u>\$4,400.00</u>	<u>\$4,400.00</u>	
Less: Payments to debtors	\$0.00	\$0.00	
<b>Net</b>	<u>\$4,400.00</u>	<u>\$4,400.00</u>	

For the period of 4/26/2019 to 1/9/2021

Total Compensable Receipts:	\$4,400.00
Total Non-Compensable Receipts:	\$0.00
<b>Total Comp/Non Comp Receipts:</b>	<u>\$4,400.00</u>
Total Internal/Transfer Receipts:	\$0.00

Total Compensable Disbursements:	\$4,400.00
Total Non-Compensable Disbursements:	\$0.00
<b>Total Comp/Non Comp Disbursements:</b>	<u>\$4,400.00</u>
Total Internal/Transfer Disbursements:	\$0.00

For the entire history of the account between 02/03/2020 to 1/9/2021

Total Compensable Receipts:	\$4,400.00
Total Non-Compensable Receipts:	\$0.00
<b>Total Comp/Non Comp Receipts:</b>	<u>\$4,400.00</u>
Total Internal/Transfer Receipts:	\$0.00

Total Compensable Disbursements:	\$4,400.00
Total Non-Compensable Disbursements:	\$0.00
<b>Total Comp/Non Comp Disbursements:</b>	<u>\$4,400.00</u>
Total Internal/Transfer Disbursements:	\$0.00

**CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No. 19-02693-CW3-7  
 Case Name: FENTON, FAWN  
 Primary Taxpayer ID #: \*\*-\*\*\*4153  
 Co-Debtor Taxpayer ID #:  
 For Period Beginning: 4/26/2019  
 For Period Ending: 1/9/2021

Trustee Name: John C. McLemore  
 Bank Name: Pinnacle Bank  
 Checking Acct #: \*\*\*\*\*0194  
 Account Title:  
 Blanket bond (per case limit): \$720,000.00  
 Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance

**TOTAL - ALL ACCOUNTS**

**NET DEPOSITS**

**NET DISBURSE**

**ACCOUNT BALANCES**

\$4,400.00

\$4,400.00

\$0.00

**For the period of 4/26/2019 to 1/9/2021**

Total Compensable Receipts: \$4,400.00  
 Total Non-Compensable Receipts: \$0.00  
 Total Comp/Non Comp Receipts: \$4,400.00  
 Total Internal/Transfer Receipts: \$0.00

Total Compensable Disbursements: \$4,400.00  
 Total Non-Compensable Disbursements: \$0.00  
 Total Comp/Non Comp Disbursements: \$4,400.00  
 Total Internal/Transfer Disbursements: \$0.00

**For the entire history of the case between 12/06/2019 to 1/9/2021**

Total Compensable Receipts: \$4,400.00  
 Total Non-Compensable Receipts: \$0.00  
 Total Comp/Non Comp Receipts: \$4,400.00  
 Total Internal/Transfer Receipts: \$0.00

Total Compensable Disbursements: \$4,400.00  
 Total Non-Compensable Disbursements: \$0.00  
 Total Comp/Non Comp Disbursements: \$4,400.00  
 Total Internal/Transfer Disbursements: \$0.00

/s/ JOHN C. MCLEMORE

JOHN C. MCLEMORE

4



IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN

FAWN ██████████ FENTON, )  
Plaintiff/Wife, )  
vs. )  
JEFFREY RYAN FENTON, )  
Defendant/Husband. )

2019 OCT 21 PM 3:58

FILED FOR ENTRY \_\_\_\_\_

No. 48419B

**AFFIDAVIT OF VIRGINIA LEE STORY**

RECEIVED BY  
Judges' Chambers  
Date: 10-22-19 *dlw*

STATE OF TENNESSEE )  
COUNTY OF WILLIAMSON )

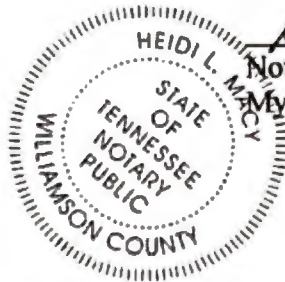
Comes now, Virginia Lee Story, attorney of record for the Petitioner, and after being first duly sworn, states as follows:

1. I am over 18 years of age and have personal knowledge of the following facts.
2. At the August 29, 2019 hearing in this matter, the Court set this matter for final hearing on October 21, 2019 in open Court with Mr. Jeffrey Fenton present in the courtroom.
3. Since the August 29, 2019 hearing, Mr. Fenton relocated to Michigan.
4. In his handwritten note, he stated that he does not want to contest the divorce and that he does not wish to communicate with Virginia Story or anyone from her firm, ever again. He states that he will never be in Tennessee again. See attached Exhibit 1.

FURTHER AFFIANT SAITH NOT.

*[Handwritten Signature]*  
\_\_\_\_\_  
VIRGINIA LEE STORY

SWORN to and subscribed before me this 21<sup>st</sup> day of October, 2019.



*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 6-19-22

MY LOVE!!!

Fawn,

2019 OCT 21 PM 3:58

FILED FOR ENTRY

I treasure it more (But must be than anything else)

MY REGRET!

Thank you so much for leaving the picture here for me (your painting). It is out of no anger or resentment that I leave it behind, I just can't keep it out of intense sadness of losing you!

MY PRAYER!

I hope you will keep it, and find that part of yourself again. That happy, simple playful place.

I also can't keep my wedding ring, so you are no longer bound to that part. I just can't. It would kill me. I buried mine back where our little friends used to live. Not one came to visit during my stay here, which broke my heart.

ELECTRONICS TOYS & GIFTS

The blue ray was from Mack, the gas mask has your name on it and was sized for you, the monopod you asked for.

EXHIBIT 1



I am so sorry things ended this way, but I can never speak with you again. To protect my heart, not out of anger or resentment

**MY HOPE!**  
BECAUSE MS. STORY LITERALLY TERRORIZED AND ABUSED ME BEYOND BENEFIT TO ANYONE!

I will never communicate with Virginia Story or anyone from her firm, ever again, regardless of the consequences.

**MY OFFER:**  
IF, and ONLY IF THE TERMS OF MY OFFER ARE ACCEPTED. BUT MS. STORY STEALS EVERYTHING, WHILE SECRETLY DENYING MY TERMS!

If she will drop all charges and never contact me again, then I will likewise drop my 250 page counter motion set for October 21<sup>ST</sup>.

**MY TERMS:**  
REQUIRED CONDITIONS. A VERY GENEROUS OFFER, BUT THEY ALWAYS WANT TO TAKE MORE BY FORCE!

I will mail you the free simple divorce papers signed - and as long as no lawyers are involved, we each walk with what we have, assets + debts, and no alimony etc... due either ever. only if we finish non-contested together without a lawyer



WIFE HAS ALWAYS KNOWN THIS! THE "DANGER GAME" IS JUST LEVERAGE, TO GET THE POLICE TO HELP, AS THEY COMMIT A CRIME!

as we promised each other,

I would and will never hurt you or those you love in any way. Despite what they cost me.

I will always love you! I leave only with tremendous sadness, nothing more.

I OFFERED: TO LET HER GET AWAY WITH EVERYTHING! BUT HER OWN GREEDY LAWYER PUTS HER AT RISK SIMPLY FOR THE THRILL OF DOMINATING AND ABUSING ME MORE! WHEN IS ENOUGH, ENOUGH???

If Ms. Story tries to use any of this against me, I will dedicate my life to fighting and appeal this to state court where the sake of our home will be found and proven to be against state laws. If I never hear from Ms Story or her staff or court, then I'm done, and I surrender all. I will always love you! I'm so sorry! JM

Please don't sell or discard any of this  
(except gas mask & flower vase if you want.)

It was all worth MORE THAN MONEY.

or it wouldn't be sitting here

It is my kiss on the  
cheek goodbye! ~~Flower~~

kiss and hug pet  
puppy for me


Non-Contested, No Joint Assets or Debts,

Divorce papers to be mailed to you  
within 2 weeks. It might take  
me a week to get to MI and  
unbearable this crap.

MY TERMS REPEATED:  
TO MAKE ABSOLUTELY SURE  
THERE WERE NO MISUNDERSTANDINGS,  
QUESTIONS, OR CONFUSION, WHICH COULD FORCE  
US BOTH THROUGH MORE TOTALLY UNNECESSARY PAIN!  
WITHOUT BENEFIT TO ANYONE, EXCEPT FOR TO A SADIST!

MORE  
TOTALLY UNNECESSARY  
PEACEFUL REASSURANCE,  
TO REMOVE ANY POSSIBLE  
LINGERING THOUGHT, EVEN IF  
FROM HER OWN FAKE STORY!

I will never be in Tennessee  
Again. You never have ANYTHING  
TO FEAR FROM ME!

Goodbye FAWN!  
Love,  


FAWN [REDACTED] FENTON vs JEFFREY RYAN FENTON  
08/29/2019

DESPITE MS. STORY'S PROMISE IN COURT ON 8/29/2019, TO HOLD COURT OVER THE PHONE - THEY REFUSED WITHOUT NOTICE!

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MS. STORY: Since he probably will be moving to Michigan, I would be amenable to him attending the final hearing by telephone if he doesn't want to drive back. And I can tell you, I will try to accommodate him in any way I can.

THE COURT: ~~I know you will. You already have.~~

MS. STORY: And, also, the order probably needs to say that Ms. Fenton can execute any other documents that need to be executed because he might not be here to sign anything, that Mr. Anderson might need signed. So I would like to be able to put that in the Order.

THE COURT: All right. Then if you'll prepare the Order, that'll take care of us. That's what we're doing. That's the Order of the Court. Thank you very much.

(Proceedings were adjourned at 11:44 a.m.)





Case 1:23-cv-01097-PLM-RSK ECF No. 18-4, PageID.2512 Filed 01/19/24 Page 9 of 11  
**2019-10-09 EMAIL FROM AUCTIONEER CONFIRMING MS. FENTON  
RECEIVED THE GIFTS, RATHER THAN SOMEONE ELSE TAKING,  
AUCTIONEER PROMISED ME A HUD-1 "SETTLEMENT STATEMENT" WHICH I NEVER GOT**

[REDACTED]

---

**From:** Tommy Anderson <tom@tommyanderson.us>  
**Sent:** Wednesday, October 9, 2019 6:42 PM  
**To:** Jeff Fenton  
**Subject:** Re: Closing | Utilities | Fully-Executed Settlement Statement  
**Attachments:** image001.gif

Yes Fawn received all electronics and got them in her possession. I will have title company send you everything upon closing completion.

Sincerely,  
Tommy Anderson

On Wed, Oct 9, 2019, 5:38 PM Jeff Fenton <[jeff.fenton@live.com](mailto:jeff.fenton@live.com)> wrote:

Hello Tommy,

Please let me know once the closing is completed, so that I can disconnect the utilities. They are all currently being billed to me, on my credit, and I need to minimize accruing debt, especially with zero proceeds from the sale, with which to pay any of my debts or expenses, while remaining unemployed.

Also, did you inform Fawn about the TV and Camera equipment at the house for her? Do you know if she has obtained that yet, or what her plan is? (I just want to ensure that Fawn gets the equipment, rather than the new buyer... he already got a good enough deal!)

Finally, I would like a scan of the fully executed HUD-1, emailed to me please, upon closing.

Thank you, sir.

Jeff Fenton  
1986 Sunnyside Drive  
Brentwood, TN 37027



## Tenn. R. Sup. Ct. 1.0

### Rule 1.0 - TERMINOLOGY

- (a) "Belief" or "believes" denotes that the person involved actually supposed the fact in question to be true. A person's belief may be inferred from circumstances.
- (b) "Confirmed in writing," when used in reference to the informed consent of a person, denotes informed consent that is given in writing by the person or a writing that a lawyer promptly transmits to the person confirming an oral informed consent. See paragraph (e) for the definition of "informed consent." If it is not feasible to obtain or transmit the writing at the time the person gives informed consent, then the lawyer must obtain or transmit it within a reasonable time thereafter.
- (c) "Firm" or "law firm" denotes a lawyer or lawyers in a law partnership, professional corporation, sole proprietorship or other association authorized to practice law; or lawyers employed in a legal services organization or the legal department of a corporation, government agency, or other organization.
- (d) "Fraud" or "fraudulent" denotes an intentionally false or misleading statement of material fact, an intentional omission from a statement of fact of such additional information as would be necessary to make the statements made not materially misleading, and such other conduct by a person intended to deceive a person or tribunal with respect to a material issue in a proceeding or other matter.
- (e) "Informed consent" denotes the agreement by a person to a proposed course of conduct after the lawyer has communicated adequate information and explanation about the material risks of and reasonably available alternatives to the proposed course of conduct.
- (f) "Knowingly," "known," or "knows" denotes actual awareness of the fact in question. A person's knowledge may be inferred from circumstances.
- (g) "Partner" denotes a partner in a law firm organized as a partnership or professional limited liability partnership, a shareholder in a law firm organized as a professional corporation, a member in a law firm organized as a professional limited liability company, or a sole practitioner who employs other lawyers or nonlawyers in connection with his or her practice.
- (h) "Reasonable" or "reasonably," when used in relation to conduct by a lawyer, denotes the conduct of a reasonably prudent and competent lawyer.
- (i) "Reasonable belief" or "reasonably believes" when used in reference to a lawyer, denotes that the lawyer believes the matter in question and that the circumstances are such that the belief is reasonable.
- (j) "Reasonably should know," when used in reference to a lawyer, denotes that a lawyer of reasonable prudence and competence would ascertain the matter in question.
- (k) "Screening" and "screened" denote the isolation of a lawyer from any participation in a matter through the timely imposition of procedures within a firm that are reasonably adequate under the circumstances to protect information that the isolated lawyer is obligated to protect under these Rules or other law.
- (l) "Substantial" or "substantially," when used in reference to degree or extent, denotes a material matter of clear and weighty importance.



**BY LAW, any STATEMENTS or AFFIDAVITS written by a Lawyer, especially in an EX PARTE HEARING against a PRO SE LITIGANT, which FAILS to include ALL the MATERIAL FACTS KNOWN TO THE LAWYER, that will enable the tribunal to make an informed decision, whether or not the facts are adverse, constitute "FRAUD UPON THE COURT, BY OFFICER(S) OF THE COURT!"**

### Tenn. R. Sup. Ct. 3.3

#### Rule 3.3 - Candor Toward the Tribunal

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal; or

(2) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or

(3) in an ex parte proceeding, fail to inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse.

(b) A lawyer shall not offer evidence the lawyer knows to be false, except that a lawyer who represents a defendant in a criminal proceeding, and who has been denied permission to withdraw from the defendant's representation after compliance with paragraph (f), may allow the client to testify by way of an undirected narrative or take such other action as is necessary to honor the defendant's constitutional rights in connection with the proceeding.

(c) A lawyer shall not affirm the validity of, or otherwise use, any evidence the lawyer knows to be false.

(d) A lawyer may refuse to offer or use evidence, other than the testimony of a client who is a defendant in a criminal matter, that the lawyer reasonably believes is false, misleading, fraudulent or illegally obtained.

(e) If a lawyer knows that the lawyer's client intends to perpetrate a fraud upon the tribunal or otherwise commit an offense against the administration of justice in connection with the proceeding, including improper conduct toward a juror or a member of the jury pool, or comes to know, prior to the conclusion of the proceeding, that the client has, during the course of the lawyer's representation, perpetrated such a crime or fraud, the lawyer shall advise the client to refrain from, or to disclose or otherwise rectify, the crime or fraud and shall discuss with the client the consequences of the client's failure to do so.

(f) If a lawyer, after discussion with the client as required by paragraph (e), knows that the client still intends to perpetrate the crime or fraud, or refuses or is unable to disclose or otherwise rectify the crime or fraud, the lawyer shall seek permission of the tribunal to withdraw from the representation of the client and shall inform the tribunal, without further disclosure of information protected by RPC 1.6, that the lawyer's request to withdraw is required by the Rules of Professional Conduct.

(g) A lawyer who, prior to conclusion of the proceeding, comes to know that the lawyer has offered false tangible or documentary evidence shall withdraw or disaffirm such evidence without further disclosure of information protected by RPC 1.6.

(h) A lawyer who, prior to the conclusion of the proceeding, comes to know that a person other than the client has perpetrated a fraud upon the tribunal or otherwise committed an offense against the administration of justice in connection with the proceeding, and in which the lawyer's client was not implicated, shall promptly report the improper conduct to the



5

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN

FAWN [REDACTED] FENTON,  
Plaintiff/Wife,

vs.

JEFFREY RYAN FENTON,  
Defendant/Husband.

)  
)  
)  
)  
)  
)  
)

No. 48419B

2019 OCT 21 PM 3:56

FILED FOR ENTRY 10/28/19

RECEIVED BY  
Judges' Chambers  
Date: 10-22-19 [Signature]

**FINAL DECREE OF DIVORCE**

THIS CAUSE came on to be heard on the 21<sup>st</sup> day of October, 2019 before the Honorable Michael W. Binkley, Judge, holding Court for the Chancery Court for Williamson County, Tennessee, upon the Complaint for Divorce filed by Wife on June 4, 2019 of which Husband was served on June 20, 2019. Husband has not filed an Answer and has had two attorneys both of whom have withdrawn. The last attorneys, Marty Duke and Mitchell Miller, withdrew on August 29, 2019 while Mr. Fenton was in open Court and Mr. Fenton stated that he wished to proceed *Pro Se*. The Court informed Mr. Fenton of self-representation and Mr. Fenton confirmed that this is how he wished to proceed. The Court set a Final Hearing date in the Order entered on August 29, 2019. The Court finds, based upon the undisputed testimony of Wife, a witness for Wife as to the grounds for the divorce, the exhibits introduced in this cause, and the record as a whole, that the following shall be the Order of this Court.

It is therefore ORDERED, ADJUDGED and DECREED that the Wife, FAWN [REDACTED] FENTON, shall be granted an absolute divorce on the grounds of inappropriate conduct. The parties' real property located at 1986 Sunnyside Drive, Brentwood, TN 37027 has a contract pending for sale. Attached is the closing statement and print out from the Bankruptcy Court as to the outstanding debt (Exhibit 1). There are no proceeds remaining to disburse. If for any reason the property does not close under the current contract, then Wife shall be granted all



WE HAD NOT EVEN BEGUN DISCOVERY YET! MS. STORY HAD GRANTED EXTENSIONS BY AGREEMENT BETWEEN ATTORNEYS FOR DIVORCE ANSWER & COUNTER COMPLAINT TO BE DUE - WHILE SHE PRIORITIZED THE FORCED DEPRIVATION OF MY HOME, AUCTIONING MY BEAUTIFUL \$500k BRENTWOOD HOME FOR \$0! RENDERING ME HOMELESS! FORCED TO RELOCATE TO SURVIVE!

right, title and interest in and to said real property and shall take all necessary steps to ensure that Husband's name is not associated with the property or the debt. Wife may sign any and all documents to close the property if a subsequent buyer is obtained and any proceeds shall be awarded to Wife free and clear of claims of Husband. The parties have divided all personal property. Each party is awarded all personal property in their respective possession. Wife is in Bankruptcy which addresses her debt allocation and she will be responsible for all her indebtedness holding Husband harmless for the same.

It is further **ORDERED, ADJUDGED and DECREED** that Wife shall be solely responsible for all indebtedness in her name or incurred by her including her Bankruptcy. Husband shall be solely responsible for any and all debts in his name or that he has incurred holding Wife harmless for same. If Husband does not pay the creditors and they seek payments from Wife and she is forced to pay the same, then Wife shall be awarded a Judgment for any amounts she has to pay for which execution may issue.

Additionally, neither party shall contract any indebtedness on the credit of the other from and after the date of execution of this Agreement.

It is further **ORDERED, ADJUDGED and DECREED** that each party shall be awarded any banking, investment or retirement accounts in their respective names free and clear from the other party. All joint accounts have been closed. All right, title and interest of either party in and to any account or account balance awarded to the other party shall be, and is hereby, divested out of that party and vested absolutely in the other party.

It is further **ORDERED, ADJUDGED and DECREED** that the parties will file 2016 and 2019 taxes separately. Each party shall assume sole and separate responsibility for paying any taxes, penalties and/or interest which may hereafter be finally determined to be due as a result of

income earned and/or received by that party or losses or deductions taken with respect to that party's income during any year for which the parties file, or have filed, joint income tax returns. Further, each party shall hold the other party harmless from any liability for such incomes taxes, penalties and/or interest as may hereinafter be finally determined to be due as a result of that party's misreporting of previous income.

It is further **ORDERED, ADJUDGED and DECREED** that Wife shall be awarded the 2017 Toyota Prius (VIN: [REDACTED]) titled in Wife's name free and clear of any claim by Husband. All right, title, and interest of Husband in and to said vehicle shall be, and is hereby, divested out of him and vested absolutely in Wife. Wife shall be, and is hereby, solely and separately responsible for any debt or liability associated with this vehicle as of the date of execution of this Agreement and shall indemnify and hold Husband harmless therefor. Each party shall be responsible for their own car expenses and insurance.

Husband shall be awarded the 2003 Buick LeSabre (VIN: [REDACTED]) titled in Husband's name free and clear of any claim by Wife. All right, title and interest of Wife in and to said vehicle shall be, and is hereby, divested out of her and vested absolutely in Husband. Husband shall be, and is hereby, solely and separately responsible for any debt or liability associated with this vehicle as of the date of execution of this Agreement and shall indemnify and hold Wife harmless therefor. Husband shall be responsible for liability insurance on the 2003 Buick LeSabre and further agrees to remove Wife's name from any insurance policy regarding the same.


It is further **ORDERED, ADJUDGED and DECREED** that Wife is awarded a Judgment against Husband for all court costs incurred for which execution may issue. Attorney for Wife shall file her Affidavit for the Court of the communication from Husband that he did not wish to



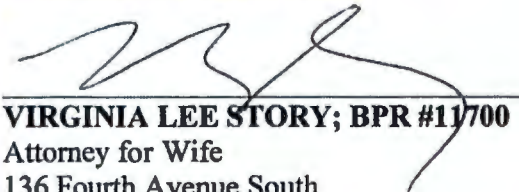
IT IS COMPLETELY UNREASONABLE TO VIEW MY NOTE LEFT WIFE AND CONCLUDE I FORFEIT CASE - WITHOUT ACTIONS BEING DROPPED, AS IS CLEARLY STATED! ALSO THAT I WOULD FILE A 250-PAGE REPOSE TO BE HEARD! 18 U.S.C. § 242 - Deprivation of Rights Under Color of Law, 18 U.S.C. § 241 - Conspiracy Against Rights, 18 U.S.C. Chapter 96—Racketeer Influenced and Corrupt Organizations, 42 U.S.C. § 3631 - Criminal Interference with Right to Fair Housing, 42 U.S.C. § 14141 - Pattern and Practice

contest the divorce and that he was present in Court on August 29, 2019 when the Final Hearing was set to be heard.

ENTERED this 24<sup>th</sup> day of October 2019.


  
MICHAEL W. BINKLEY, JUDGE  
Michael W. Binkley  
Circuit Court Judge/Chancellor  
21st Judicial District, Division III

**APPROVED FOR ENTRY:**

  
VIRGINIA LEE STORY; BPR #11700  
Attorney for Wife  
136 Fourth Avenue South  
Franklin, TN 37064  
(615) 790-1778  
[virginia@tnlaw.org](mailto:virginia@tnlaw.org)

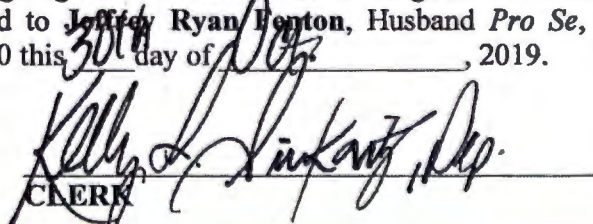
**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been forwarded via U.S. mail to Jeffrey Ryan Fenton, Husband *Pro Se*, at 17195 Silver Parkway, #150, Fenton, MI 48430 this 2<sup>nd</sup> day of October, 2019.

  
VIRGINIA LEE STORY

**CLERK'S CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been forwarded to Virginia Lee Story, Attorney for Wife, at the above address, and to Jeffrey Ryan Fenton, Husband *Pro Se*, at 17195 Silver Parkway, #150, Fenton, MI 48430 this 30<sup>th</sup> day of Oct, 2019.

  
CLERK

**TAKING MY HOME without DUE PROCESS! Chasing me out with the WCSO! Leaving me without food or shelter! Denying my 250-PAGES of TESTIMONY with CLEAR PROOF the CHARGES were ALL FRAUDULENT! WHILE \$10k of my PERSONAL PROPERTY WAS STOLEN! As they Ordered a FRAUDULENT "OP" Against ME! BREAKING EVERY SINGLE OATH OF OFFICE - I've NEVER even been ARRESTED! NO NOTICE or WARNING! NO "MOTION FOR DEFAULT JUDGMENT"! OUTRAGEOUS!**



**Jeff Fenton**

---

**From:** Charles M. Duke <marty@mdukelaw.com>  
**Sent:** Monday, August 5, 2019 6:39 PM  
**To:** Jeff Fenton  
**Cc:** Mitchell Miller  
**Subject:** RE: Fenton v. Fenton

**Categories:** 4-Email: Important Information

Jeff:

There is no definite date certain by which I agreed with Ms. Story to file an Answer & Counter-Complaint. However, until there is an Order entered relieving us as counsel in this matter, you should not file anything pro se.

Thanks. have a good evening.  
Marty

---

**From:** Jeff Fenton [mailto:Jeff@Meticulous.tech]  
**Sent:** Monday, August 05, 2019 5:36 PM  
**To:** Charles M. Duke  
**Cc:** Mitchell Miller  
**Subject:** RE: Fenton v. Fenton

Thanks Marty.

Can you simply inform me of any critical dates which I need to self-represent by, as I can not afford further representation:

For example, when did you get the ANSWER & COUNTER COMPLAINT extended to?

Any other time critical dates would be greatly appreciated.

Thanks.

**JEFF FENTON**  
**METICULOUS.TECH**

(615) 837-1300 OFFICE  
(615) 837-1301 MOBILE  
(615) 837-1302 FAX

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# Story Abernathy & Campbell

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HISTORIC DOWNTOWN  
FRANKLIN, TENNESSEE  
136 Fourth Avenue South  
Franklin, TN 37064

OFFICE (615) 790-1778  
FAX (615) 790-7468

\*Licensed in Kentucky

September 16, 2019

Via Email

Mr. Jeffrey Fenton

Email: [Redacted]

Via First Class Mail

[Redacted]

Re: Fawn [Redacted] Fenton vs. Jeffrey Ryan Fenton  
Williamson County Chancery Court No. 48419B

Dear Mr. Fenton:

Once Ms. Story obtained possession of my home, she reneged upon every commitment made during the 8/29/2019 hearing in Chancery Court.

My client was at the house over the weekend ~~and has indicated that you left the house in a mess despite you having known since August 1, 2019 that the property would be auctioned.~~ The costs for cleaning out the house and moving the items that you have tagged per the Court Order to storage will be in excess of \$2,000. Please send a check payable to Fawn Fenton noted for moving and clean up to my office address. I will provide you with each invoice so you have an accounting of actual costs.

Attorney Story said in Court on 8/29 that all expenses would be paid out of the proceeds from the auction (which hadn't even taken place yet).

If I do not receive a check from you in the amount of \$2,000 by **Friday, September 20, 2019**, we will have to sell the remaining items in the house and then dispose of the items that cannot be sold. Any proceeds from items sold will be deposited into the Clerk's office for distribution after payment of the costs.

This letter was dated and postmarked on 9/16/2019, while she is DEMANDING these funds by 9/20/2019, the day it reached Michigan.

As for the items you have tagged and for which you will send the \$2,000 advance by **Friday, September 20, 2019**, for the movers and clean up, please make the arrangements for a storage unit. This will need to be done by **Thursday, September 26, 2019**. Send me the name of the storage location and unit number with verification that the amount has been paid in advance so that when the movers arrive there are no snags.

Per Ms. Story's own fraudulent Ex Parte "Order of Protection", if I still had possession of my firearms, I would have GONE TO JAIL!

**Finally, we did not locate any guns in the house.** Please advise where they are located with the contact information or whether you have taken them with you to Michigan. If you have any guns in your possession, please provide an itemized list of all types, manufacturers, and models.

I see this being for absolutely NO reason other than BLOOD LUST! Wanting to forcefully TAKE and LIQUIDATE every single thing I owned!

Sincerely,

Virginia Lee Story  
Attorney at Law

cc: Ms. Fawn Fenton

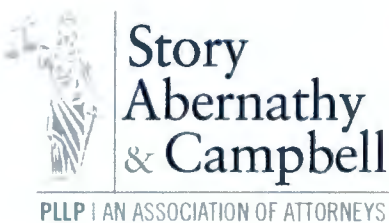
**This is how abusive, heavy-handed, and bullying Attorney Virginia Lee Story treated me throughout every action in this mass deprivation of rights and property, without so much as HEARING my DEFENSE, while Judge Michael W. Binkley enabled and empowered her every cruel, savage, inhumane, and criminal actions. While neither showed any care for the Rule of Law, their Oaths of Office, either State or Federal Constitutions, the Judicial Canons, or the Rules of Professional Conduct! Ms. Story's actions are even in violation of BASIC INTERNATIONAL HUMANITARIAN LAWS!**

williamsoncountyattorneys.com

\* Rule 31 Family Law Mediator

In Court on 8/29/2019 (transcripts hidden in R.v.4 (pages 495-523), Ms. Story INSISTED that I leave my Personal Property, at the residence for FALSE, fraudulent, and unsubstantiated reasons. Now, under false claims, having only had FIVE-DAYS NOTICE of a wrongful eviction, that SHE INSISTED upon in Court on 8/29, as I tried to meet her OUTRAGEOUS DEMANDS that I TAG every item I wanted to KEEP (nearly EVERYTHING I OWNED, which is WHY I OWNED IT). As I tried to assist my elderly disabled roommate/tenant, who ended-up HOMELESS as a result of her demands during my 8/1/2019 hearing, illegally ignoring his leasehold RIGHTS! Now Ms. Story is insatiably trying to EXTORT thousands of Dollars from my meager elderly mother, knowing that Ms. Story already TOOK my INCOME, my SHELTER, my SAVINGS, leaving me BROKE, HOMELESS, and DESTITUTE!





Virginia Lee Story  
virginia@tnlaw.org

Joanie L. Abernathy  
joanie@tnlaw.org

Neil Campbell  
neil@tnlaw.org

Kathryn L. Yarbrough  
kyarbrough@tnlaw.org

Of Counsel:  
James E. Story,  
Attorney at Law

Marissa L. Walters  
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FRANKLIN, TENNESSEE  
136 Fourth Avenue South  
Franklin, TN 37064

OFFICE (615) 790-1778  
FAX (615) 790-7468

Licensed in Kentucky

September 26, 2019

Via First Class Mail and E-Mail

Mr. Jeffrey Fenton  
17195 Silver Parkway, #150  
Fenton, MI 48430

Re: Fawn [REDACTED] Fenton vs. Jeffrey Ryan Fenton  
Williamson County Chancery Court No. 48419B

Dear Mr. Fenton:

**OH WOW!!! This just doesn't STOP! Judge Michael W. Binkley refused to perform his JUDICIAL DUTY to equality, impartiality, fairness, due process, mitigating loss, and stopping CRUEL MISCONDUCT by a FRIEND! (This was a DIVORCE, can I possibly LIVE through this?)**

To follow up on correspondence sent to you on September 16, 2019, we never received any information on a storage unit you would like to use to store the extensive list of items you wish to retain from the Sunnyside residence. Therefore, Ms. Fenton took it upon herself to obtain a quote from Fox Moving and Storing to have these items packed, moved and stored. **The quote is attached hereto.** As you can see, the cost for packing only your personal items (i.e. remaining clothing, photos, etc.) is \$639.00. The cost for moving the larger items and your personal items is \$2,895.00. This would include moving the items to Fox's storage facility in Nashville. The cost to store these items in their storage facility would be approximately \$495.00 per month. Finally, to have all of these items packed and moved to Michigan, the cost would be over \$6,000.00.

At this point, it is our position that moving the items to Michigan is not financially responsible but that is up to you if you want to use any proceeds you received to have your items shipped. It is our position and that of Mr. Anderson's that the entire value of the remaining contents of the home is only approximately \$3,000.00, therefore the cost to move and store these items far outweighs their worth. However, if you would like for the items to be packed and stored in the Fox storage facility in Nashville then you will need to send a check to my office in the amount of \$3,534.00 no later than next Wednesday, October 2, 2019, made payable to Fawn Fenton and she will schedule the movers and the storage facility for one month until you decide if you want to have the items moved to Michigan. The only other option is to have the remaining property sold and any proceeds will be placed in the Clerk & Masters office for distribution at a later date. We will go ahead and file a Motion with the Court to sell or otherwise get rid of all remaining items in the home in the event that you do not agree to pay the cost for packing, moving and storing the items that you wish to retain.

Then it doesn't SOUND like you FORCED me to LEAVE my Personal Property behind so that you can SELL it for any quasi-legitimate reason, but rather just to CRUELY HARM the disabled and financially disadvantaged party, EVEN MORE! PURELY for the DOMINATING POWER-TRIP, and FUN! That's WORSE than being GREEDY! That is SICK and SADISTIC! (Yet there's more still to come...) Is there any INTEGRITY at all within the Williamson County Chancery Court??? I can't see HOW on EARTH this is remotely JUSTIFIABLE!

williamsoncountyattorneys.com

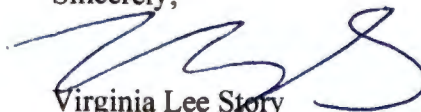
Rule 31 Family Law Mediator

Jeffrey Fenton  
September 26, 2019  
Page 2

Finally, you still have not disclosed where all of your guns are located. Please advise where they are located with the contact information or whether you have taken them with you to Michigan. If you have any guns in your possession, please provide an itemized list of all guns that you removed, manufacturers, and models.

I thank you in advance for your prompt response to these time sensitive matters.

Sincerely,

  
Virginia Lee Story  
Attorney at Law

Enclosure  
cc: Ms. Fawn Fenton

**The most LAWLESS person I have ever met, on EITHER side of the LAW! Attorney Virginia Lee Story believes that I'll endlessly allow her to BULLY, ABUSE, ROB, RAPE, and TERRORIZE me and my family "under color of law"! SORRY! NO COURT OF LAW has the AUTHORITY or JURISDICTION for what you have DONE! EVERYTHING IS VOID IN #48419B and I'm pressing CRIMINAL CHARGES for at least a HALF-DOZEN State, Federal, and CONSTITUTIONAL FELONIES, which YOU committed along with the "help" of SEVERAL of your "FRIENDS"! You and Judge Michael W. Binkley can KILL me if you want, while the WHOLE WORLD WATCHES! I've already had extensive communications with the DOJ. I tracked down the same Nashville FBI "Special Agent" who Arrested Corrupt Nashville Judge Casey Moreland, after getting tired of being rejected by their call centers. You have MISJUDGED my courage! I will EXPOSE your crimes to every member of State and Federal Law Enforcement, local government, and Courts throughout the Country, until somebody cuts this CANCER out of the Williamson County Chancery Court! I know that I'm risking my own LIFE, but I'd rather die as a FREE man than live as your SLAVE! (Peaceful Protests!) I just hope the FBI/DOJ catches you in any further harm you try to cause me and my family, because I KNOW you will!**

JUDGE MICHAEL W. BINKLEY & ATTORNEY VIRGINIA LEE STORY vs JEFFREY RYAN FENTON  
WILLIAMSON COUNTY CHANCERY COURT | 08/29/2019 | #48419B | M2019-02059 | R.v4 (502:20 - 503:9)

20 MS. STORY: If he will tag the items that  
21 he wants, like my client tagged the items per your  
22 order, if he'll just put a tag on items he wants,  
23 we'll make sure that those get stored, and then we can  
24 use the proceeds from the sale. We're going to  
25 deposit those into the clerk's office. And we can use  
1 those to pay the next storage unit and then when he  
2 gets ready to come here and get his things, or maybe  
3 he wants to use some of his proceeds to have them  
4 shipped to him...

6 So I'm trying my best to be as  
7 accommodating to him...  
8 this is going to be a simple process for him.

**7**





**MISTITLED (AS FILED)**

**IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN**

2019 AUG 29 AM 9:17

FILED FOR ENTRY  
Docket No: 48419B

FAWN ██████████ FENTON, )  
Plaintiff/Wife, )  
v. )  
JEFFREY RYAN FENTON, )  
Defendant/Husband. )

HUSBAND’S RESPONSE AND COUNTERMOTION  
TO WIFE’S MOTION FOR VIOLATION OF THE  
EX PARTE ORDER OF PROTECTION AND FOR DATE CERTAIN FOR  
WALK THROUGH OF HOUSE AND MOTION FOR SCHEDULING  
ORDER

COMES NOW the Defendant/Husband, Jeffrey Ryan Fenton, for his response to the Wife’s Motion, along with Husband’s Countermotion, stating as follows:

First Husband would like to bring to the court’s attention, the disabilities with which he has been diagnosed, and continues ongoing treatment for. If not properly understood, one could easily draw incorrect conclusions, specifically about Husband’s communications, in how he speaks and even more so, his excessive use of words when writing. Please see Exhibit-A for a thorough explanation regarding this, from both Terry M. Huff (LCSW), Husband’s Psychotherapist, and Dr. Richard E. Rochester (M.D.), Husband’s Psychiatrist.

Husband suffers from the following handicaps:

Obsessive-Compulsive Personality Disorder (OCPD) DSM-5 301.4 (F60.5)

Generalized Anxiety Disorder (GAD) DSM-5 300.02 (F41.1)

Attention-Deficit Hyperactivity Disorder (ADHD) DSM-5 314.01 (F90.2)

There was also an agreed extension between counsel (Duke/Story) for me to file a formal divorce answer/counter later, which I still planned to do. I have a long recorded phone call with Attorney Mitchell Miller, where he instructed me on how to navigate discovery on my own. I filed this ad-hoc "One and Done" as a temporary emergency back-up, to protect myself from exactly the sort of "defaults" Story and Binkley still levied against me. I knew they were violating my rights and could not be trusted. **This was my insurance plan, which they still completely ignored.** The Judicial Canons, State, Federal, and Constitutional Laws, the Federal Rules of Civil and Bankruptcy Procedure, the State of Tennessee’s Rules of Judicial and Professional Conduct, all meant nothing. (Racketeering Under Color of Law!)

Circadian Rhythm Sleep Disorder (CRSD) Non-24-Hour Sleep-Wake Disorder (Non-24)  
DSM-5 307.45 (G47.24)

Special Note: Although “OCPD” (Obsessive-Compulsive Personality Disorder) sounds very similar to “OCD”, a disorder and acronym which are much more common, “OCPD” is an entirely different disorder, with very little, if anything, in common with “OCD”. Please take a moment to discover the differences, as is well described, in Exhibit-A.

1. The Facebook post is deeply regretted and was deleted as soon as Husband was informed that it could be interpreted as a violation of the Temporary Order of Protection (within a matter of hours). Wife was not named in the post, furthermore the post was only to be found by searching the Husband’s “Stories”, not in the regular user “Feed”. Wife continued to search Husband’s “Stories” even after requesting the Temporary Order of Protection, based almost entirely upon fraudulent claims.

Still, Husband was wrong for venting on Facebook. Not only was the platform wrong, but the words which Husband angrily spewed were also very wrong. Not just because of the Temporary Order of Protection, but because they depicted God as Husband’s little “underling”, who “blesses” and “curses” people upon his command. That’s not who God is. God is Love. Likewise, I shouldn’t try to leverage any knowledge or belief in God, to harm, hurt, distress, curse, anyone, ever! For that Mrs. Fenton, I am sincerely sorry, and I ask that you please forgive me. I also ask for you to please remember, that despite what all I may think that I know, or see, or find true, that your Father God loves you, and he is NEVER going to curse the work of your hands or your heart. God will always love you through the most warm, expectant, grateful, compassionate eyes, which you’ve ever



imagined. Though we may both do great wrongs within our lifetimes, God will never see that when he looks at you!

As for those who are shaken, scared, or concerned about Husband's extreme verbosity, grandiose language, searching, frustrated, angry, and at times even hostile WORDS, that is ALL that they are. They are not words which lead to something worse. There is no need to "read between the lines". Husband has no (or very, very little) "internal filter". If there is something on Husband's mind, then he says it, probably five times. So, if anyone is "adding to" Husband's words, fearing some greater storm ahead, they are fictitiously making-up a false narrative, as the words are the entire payload. They are the only thing that Husband has ever "threatened" anybody with.

In nearly 50 years, Husband has never been arrested for anything, ever. Husband hasn't even been cited with a traffic ticket, during his 25 years living in Tennessee. Prior to Wife's secretly planned divorce, which Husband was the last to learn about, "words" had usually been Husband's friend, and were often held in high-esteem by others, though you would never know it by looking at the wreckage of the past year and a half of Husband's life. There has been too much loss, too quickly, during too vulnerable of a season. With Husband's words, he is literally "fighting for his life". He has not a dollar, a home, a job, or a vocation to leverage in defense of himself. "Words" are all that Husband has (along with proof when there is time), and they just haven't been enough to survive this unforeseen, dedicated, non-relenting, course of mammoth unrecoverable loss.

Husband has never been physically aggressive. Husband can't remember getting into a "fist fight", in his entire life. To accuse Husband of physical violence, is not only inaccurate and unsubstantiated, but it is also harassing, abusive, and violent to Husband's character, which he takes very seriously.

Though you may be able to read Husband's words, with the intensity and ferocity which they sometimes bring, and interpret them to be suggesting or threatening any type of "physical violence", that is never what Husband is threatening or even suggesting. Husband's greatest threat, to anyone, is to lock himself inside his office for a week, while publishing painfully clear evidence online (if you can touch it, if you can feel it, if you can smell it) of the wrongs which someone else has leveraged to harm Husband. Regardless of what sort of "package" Husband comes "wrapped-in", the truth is on his side. For Husband cares not enough about what someone else thinks of him, to be pretentious. To be fake. To be egotistical. To be proud. Husband's top-two values in life are truth and authenticity. Citing, "To thine own self be true!"

To add context to the following two sentences, Husband is talking about a family of 8-racoons and a few opossums which he feeds at the marital residence's back door every night, with water kept outside for them year around. "Yet it will be too late to save my family of friends. They will be confused and distraught, with some probably even perishing, waiting for me to come home and care for them, yet never will I be allowed."

Husband and Wife are both critter lovers and gotten many hours of enjoyment from all the wildlife here at Sunnyside. We first had a groundhog who lived under our deck for four

years, with two or three litters of pups, who would wrestle and play on our rear deck daily. (The last groundhog left from those litters, died on the same day which I was served the Divorce Complaint and the Ex Parte Order of Protection, from Wife's counsel.) We had a really cute skunk for a while, along with probably a dozen different opossums, who have become what we call our "Yard Pets". Now three generations of raccoons are Husband's daily guests.

Every night, Husband and Wife (now just Husband), puts out a bowl of food (size depending upon the number of guests), calling the critters in for dinner, after which they typically arrive to eat within a matter of minutes. (One of the things which Husband will miss the most.) With the marital residence backed-up to a massive hill, where Husband and Wife own to the very top, with hundreds of acres of undeveloped woods behind it, Husband and Wife purposely built a 3-sided fence around their backyard, so to keep neighbors and their pets out (to protect our wildlife), while leaving the back of the property unfenced, so that wildlife can freely come and go. Furthermore, over the past decade, Husband has hauled all the brush and branches from tree trimming and clearing, up into the woods, creating two massive brush piles, for the critters to live in, find shelter, and thrive. This area is full of life and was one of the truly unique attributes of this property, which Husband and Wife shall never be able to replace.

The marital residence is located in a deep and narrow valley. Across the street, the homes all backup to "Owl's Hill Nature Sanctuary", so that our valley is surrounded on all sides by hundreds of acres of protected woodlands, while being centrally located between downtown Franklin, downtown Brentwood, Green Hills, Belle Meade, and Bellevue, with



a direct path into the West side of Nashville via Hillsboro Road, where some of the most highly paid vocations exists. The neighborhood has the peaceful atmosphere of a campground or park, yet it is as close to the city as you can get, while living in such serene surrounds, for anywhere near the price-point of the marital residence. Husband and Wife expect that as Nashville continues to develop, that this property will double and maybe triple in value within their lifetimes. This home was their retirement plan, in addition to eventually starting a small architecture business from home, in another 15 years, once they are at retirement age, with Wife being the Architect, and Husband handling all the marketing, bookkeeping, and learning to draft, to assist Wife. This was their entire “retirement plan”, being as all their “retirement savings”, was entirely invested into the purchase and improvements of this property. Complimented by the home being scheduled to be fully paid-off within those 15 years, so that part-time employment from home would comfortably support them both, while living in paradise, the nicest residence and neighborhood which Husband and Wife had ever lived, and likely ever will.

Regretfully with this divorce, plus the massive added loss from selling the marital residence, home, before it appreciates beyond all which they’ve invested in it, Husband will never be able to realistically “retire”. In addition to having no savings, while having a large pile of debt in his name, with no technical skills qualified to employ husband with even a mediocre income, and not enough “working years” remaining for Husband to ever advance enough in any professional field, or to accrue any meaningful savings, with which to fund any sort of “retirement”. Additionally, since Husband has not held a W-2 job paying Social Security in over a decade, Husband will have extremely little Social Security

to even look forward to, a massively disadvantaged future from any which Wife shall be privileged to enjoy. Some of Wife's family is also very wealthy, so Wife stands to inherit enough money to independently fund her retirement, while Husband has no such fortune to look forward to.

So the marital residence, rich in value to both Husband and Wife, for not only the fantastic location and expected appreciation, but also because of being land-locked by huge protected lands, in the most wealthy and vocationally prosperous county, as well as arguably the best section of that county, intended to vocationally and economically benefit Husband and Wife for the remainder of their lives.

The loss of the marital residence, is not only the loss of a couple hundred-thousand dollars, to a family who can't sustain such a massive loss without pushing them both into bankruptcy, but it is also the loss of over half a million dollars of future value and opportunities, the loss of the only chance which Husband will ever have at "retirement", while currently almost 50 years old, and the loss of a standard of living which Husband will never be able to obtain half of again, within his lifetime.

If you wonder why Husband has been reluctant to sell his Home, it is not only the totality of all that he has worked for and accomplished in life, but it is also the only vehicle by which Husband could have leveraged to obtain anywhere near the same standard of living, to that which the Husband and Wife were privileged to enjoy together.

This divorce, along with the loss of the marital residence, considering Husband's disabilities and the vocational challenges which he will face for the rest of his life, is

essentially the loss of Husband's life as he has known it, and worked all his life to obtain and sustain. Husband has deeply grieved the loss of Wife and their family of furry "children" (a dog, two bunnies, multiple aquariums). Husband has also deeply grieved the loss of their marital residence, along with the tremendous value which it represented. Most of all, Husband has grieved the loss of his life, as ever he has known it, with this mammoth and catastrophic economic loss, which there is no plausible way for Husband to fully recover from, within the remainder of his lifetime. Now Husband will need to live in the basement of his mother's small two-bedroom, one bath, home, for a season. Located in a small town in Michigan (near "Flint), over an hour away from industries and vocational opportunities, equal to probably a quarter of the vocational opportunities, currently within 10 miles of Husband's home. In taking away his residence, Wife and the courts which Wife "gamed" and leveraged to oust Husband, have doomed Husband to a lifestyle ¼ of that which he has enjoyed over the past decade, and less than half that which Husband had 15 years ago, prior to meeting Wife.

While the court may deem Husbands rigidness in selling his home and his future to be unreasonable, Husband was literally "fighting for his life", with ultimately no say or control over the fate which Wife unilaterally forced upon him. Wife admitted knowing that this would realistically be a loss which Husband would never be able to recover from (even crying and apologizing), but regretfully Wife justified that Husband was an "acceptable loss" to regain her "independence". Demanding her "freedom" to enjoy the fruits of her vocational achievements, which have only been accessible to Wife and obtained because of the significant contributions (not mentioned herein) which Husband truly made to



Wife's licensing as an Architect, and the advancement of her career. While Wife will now temporarily seek to become "under-employed", at 50% - 75% of her current earning potential, helping to justify her bankruptcy, while alleviating much of the obligation to pay Husband alimony, under the guise of mental trauma and physical illness, which she erroneously attributes to Husband.

Really, Wife has managed narcolepsy successfully for well over a decade, and while early and extreme menopause has certainly taxed Wife physically for the past five years or so (which Husband largely blames for Wife's shift in allegiances to her family, ultimately pressuring Wife to divorce Husband), along with the mental stress of choosing to gamble so much money/debt/retirement, to oust Husband, while Wife has seriously compromised her integrity, committing fraudulent, unethical, and criminal acts, which she persists in, including perjury at both the State and Federal levels. This brings with it the risks of not only incarceration for Wife but could potentially result in the loss of her license as an Architect, for such blatant ethics violations. Husband believes that by Wife adamantly refusing any sort of "fair" divorce settlement, preferring rather to physically, mentally, and financially sabotage and destroy herself, forcing the loss of all their marital assets, that Wife is essentially giving herself "Chronic Fatigue Syndrome" in the process, by her absolute unwillingness to compromise at ALL costs.

Husband believes, based upon conversations with Wife, both oral and in writing, that Wife has been planning this since the end of 2018, knowing that her boss was soon planning to retire, while anticipating her Federal Income Taxes to increase to \$31k per year post-divorce, under the new tax laws which went into effect at the start of 2019. Filing signally,

living in an apartment, while refusing all tax-wise options which Husband has fervently presented to Wife, as both an incentive and reward, to encourage Wife to continue to grow her career. Which is why Husband believes that Wife refused to sign any agreement with Husband, committing to the 50/50 equity split from selling the marital residence, combined with the \$1,750 per month in “transitional” alimony, which the couple had verbally agreed to, for a duration of 6 years. This verbal agreement (also communicated via email) was a condition to the “Non-Suit”, which they filed to sell their home outside the oversight of the courts, with Husband temporarily moving to Michigan. Since Wife repeatedly refused to “put her own words into writing”, to secure Husband’s equity split and their alimony agreement, Husband refused to relinquish possession of the marital residence, which had been his only “leverage” since wife abandoned him, because both mortgages were in Wife’s name.

As shown in a text message from Wife, on December 22<sup>nd</sup>, 2018 (Exhibit-B), Wife stated to Husband as follows:

“Correct, my tax situation is going to suck for a very long time... 90k gross – 31k taxes – 21k alimony = 38k net. Plus or minus.”

Wife went on to say:

“Someday when alimony is done, I **can** get a job making only \$43k gross and have the same net of +/- \$38k.” (Emphasis added to point out that apparently the lower income is Wife’s preference.)

Husband already had concerns, but as a result of this conversation via SMS, Husband became convinced that Wife planned to down-size her career, to reduce both her alimony and her income taxes, once her boss retired within the following year. Husband further became convinced, that this was Wife's compelling reason for refusing to sign the previously agreed upon terms of their verbal settlement agreement, to Non-Suit and sell the marital residence outside the courts. Husband was rightfully concerned, that had he gone to Michigan without a written agreement signed, that wife would have "stiffed" him, once the marital residence sold, knowing that Husband could not afford to pursue an out-of-state lawsuit against Wife, for alimony, nor could Husband afford to move back to Nashville, without alimony, after Husband surrendered possession of his home.

Several months later, in a face to face conversation with Wife, Wife admitted that she didn't sign the agreement, because she wasn't sure that she could afford the agreed alimony, speaking of seriously downsizing her occupation after her firm closed, stating that she is even considering seeking part-time employment, instead of her fulltime job.

This was when Husband knew that he could not rely on alimony to help rebuild his life, so Husband decided that his best chance at not losing literally everything, was by trying to keep the marital residence. First Husband planned to obtain roommates, to leverage the wasted space currently in the 2,500 square foot home, while also meeting both Husband and Wife's negative monthly cashflow (Wife claimed to have a negative cashflow of \$400 - \$500 monthly). After obtaining roommates, with Husband's total rents equaling \$1,400 per month, Husband gave Wife the financial benefit of approximately \$900 of those rents, per month. Which should have lifted Wife out of the red, with a positive monthly cashflow



of \$400 - \$500. This is why Husband believes that Wife needed to accept a voluntary pay cut with her employer, to prepare Wife to meet the financial qualifications for filing Chapter-13 bankruptcy.

Shortly after Husband discovered that Wife had filed bankruptcy, Husband was served with both the Ex Parte Order of Protection, and Divorce papers once again, after Wife had assured Husband, that she was done “wasting” her money on lawyers for a “contested divorce”. Husband had been emailing Wife extensively, to ensure that she was keeping up the mortgage payments on their home, which Wife simply refused to answer or reply to. Since the home has Husband’s life invested into it, keeping the mortgages current was critical to Husband, but he no longer had access to the mortgage information, being in Wife’s name, since she had changed the account credentials to lock Husband out.

Despite how many times Husband asked Wife about the status of the mortgages, and even if Wife choose to “keep” the home in her bankruptcy (elected by one checkbox on the bankruptcy forms), both which Wife refused to answer. Then to make matters worse, the frequency of those very emails, in comparison with how frequently Wife chose to reply, was used by Wife and her counsel, as substantiation for requesting an Order of Protection for Wife. Although those emails contained urgent concerns regarding the possibility (and now a forced reality) of Husband losing literally everything, those emails did not contain anything malicious, and certainly not anything threatening, by any means. Yet Husband’s counsel chose not to take the matter to trial, but rather to settle for maintaining the Ex Parte Order of Protection, throughout the duration of the divorce.

Husband understood that the Ex Parte Order of Protection prevented Husband from pursuing Wife, entering her world, or interfering with her life in any way. What Husband absolutely did not understand, was that this Ex Parte Order of Protection still allowed for Wife to enter Husbands world, interrupting the sanctity, privacy, and enjoyment of his home, legally forcing Husband and his roommates to vacate their home for hours at a time, under the threat of incarceration, should Husband refuse to comply.

This, combined by the instant loss of his home, per court order, absolutely pushed Husband over the edge, leading to Husband lashing out inappropriately on Facebook, after days of physical and emotional exhaustion, compounded by the stress of accruing a massive financial debt to his mother for legal fees, without even reaching the stating gate for his divorce. At that point, accruing more debt to maintain legal counsel, no longer made fiscal sense for Husband, especially in light of the fact that his home, which was the Husband's only meaningful asset, had already been ordered by the court to be auctioned in 45-days, with no minimum.

Since wife has preemptively filed for bankruptcy, substantially less financial relief is expected to be obtainable from her. Despite Wife's role as the family's primary breadwinner for over a decade, [REDACTED]

[REDACTED] and the breadth of financial and legal bullying" which Wife had engaged in against Husband, while using both illegal and unethical tactics to undermine the equity in their home without Husband even knowing. Both by accruing "marital debt" on her credit cards, to support two residences, after Wife abandoned Husband, with a poorly planned

budget, which could never cash-flow, as Husband immediately pointed out to Wife. Unfortunately, Wife insisted that she was smarter than Husband and “would figure it out”.

Having managed the couple’s finances for over 13 years, Husband knew beyond any doubt that the couple could not afford two Brentwood residences. They simply didn’t have enough income to support or justify such a brash and irresponsible decision. The evidence of which now is Wife having been substantially fined by the IRS, after her first-time filing taxes for the family, while again aggressively refusing Husband’s assistance.

Wife even fraudulently filed the couples 2018 joint tax return, without Husband’s knowledge or consent. While she changed the marital address from the family’s home to her apartment, changing the phone on file to her own, and scheduling the automatic refund to be deposited directly into her personal and now private bank account, without so much as notifying Husband. This demonstrates the extent to which Wife has been on a power-trip beyond anything that Husband had previously seen in her, as she continued to financially and legally “bully”, dominate, and oppress Husband, throughout Wife’s crusade to “cut-off every limb” to simply discard Husband, without offering Husband any post-divorce support or assistance of any sort.

At one-point Husband asked Wife:

“Is there anything that I can do to help you, besides die?”

To which wife honestly answered:

“No.”



Later on, in a text message, Wife told Husband:

“You won’t do anything for me, you won’t let me be free.”

As bad as Husband felt, still he was trapped inside a home which he could neither afford to keep nor to leave, as wife constantly “ripped the carpet out from under his feet”. While denying Husband any opportunity to establish some basis of stability, without needing to rely upon Wife. That was one of the primary objectives for Husband obtaining roommates. Since most of the money went to benefit Wife anyways, Husband did not obtain roommates, choosing to share his living space with random strangers, simply for the immediate benefit.

Rather Husband was attempting to build a foundation which would be sustainable as Husband tried to obtain the vocational training and future job which would allow him to finally “free” Wife without the exorbitant need for alimony.

Husband’s goal was simply to provide Wife with as much financial relief as he possibly could afford, putting off other financial commitments such as repaying his mother, and continuing to increase that relief as rapidly and substantially as possible. Hoping to gain back his financial independence, prior to Wife self-destructing, setting Husband back more than he could ever realistically recover from. Having shared that strategy with Wife (thinking it would appeal to her), Wife intentionally filed bankruptcy, before and to deny Husband of the opportunity to succeed in his declared agenda; to help save them both from financial ruins.

Utilizing a highly-strategic, extensively planned, fraudulent, focused, devoted, and relentless attempt to “discard” Husband without paying the alimony which Husband was legally due, as well as realistically needs, to have any chance at independently sustaining himself again, with even a fraction of the standard of living which he possessed 15-20 years ago. Husband believes that paying alimony is Wife’s greatest fear, both due to her economic loss while doing so, without the beneficial tax advantages it included prior to 2019, compounded and exceeded by Wife’s fear of her “losing face” with her elite, over-achieving, prosperous, snobbish, condescending, and judgmental family. (EXHIBIT-Z)

Husband believes that Wife’s current philosophy is, that she can destroy herself, be burned to ashes, and still recover quicker, than she could if she agreed to pay Husband alimony fairly. Alimony could last for 6 or 7 years, while only providing Wife with enough income remaining to sustain the rest of her debt, after which she would still need to slowly pay it down. By self-sabotaging her career for a season, Wife has chosen to file bankruptcy, which will have all her debts legally satisfied in 3-5 years, while avoiding the expense of ever needing to pay Husband any substantial alimony. Although a complete betrayal of Husband (again), while further harming his chances at recovery, self-sabotaging and filing for Chapter-13 bankruptcy, as Wife has done, is literally the quickest path for Wife to financially recover. It will literally lead to at least a 50% quicker financial recovery time for Wife, than meeting her financial obligations to Husband and her creditors.

Meanwhile Husband is without, unqualified for, and possibly incapable of obtaining and maintaining gainful employment, a home again where he can both feel safe from storms (a serious phobia associated with Husband’s GAD (Generalized Anxiety Disorder), where

Husband previously built a 40,000 pound, highly sophisticated storm-shelter in the basement of his Duplex, prior to meeting Wife. While Husband also feels safe in their current marital residence, since the home has a massive South-West facing hill, the direction which most severe weather comes from, following the jet-stream (this was a serious consideration in originally purchasing the home). Nestled within a tiny valley, which effectively makes the entire home, the safest place in which Husband has ever lived, which he has enjoyed without concerns about the weather, since it rarely impacts the home. Due to the natural shelter provided by the home's precise geographic location. (Previously, weather was a daily fear for Husband, affecting every facet of his life.)

To punctuate how critical this was, Husband and Wife would not have literally purchased a house on the opposite side of their street, since the South-West facing hill was so critical to Husband, in order to willingly forfeit the security and peaceful assurance, provided by his comfortable, customized, extremely robust storm shelter, which Husband had built inside his Duplex, prior to meeting Wife.

Now in addition to Husband losing the value of his home, Husband also lacks anywhere affordable to live, without Husband being physically forced to liquidate or discard the majority of his personal property, which is bulky, not of much value to others, but extremely important to Husband. So, Husband shall loose on every level, walking away from this marriage with less than he had 20 years ago. Crippled financially, materialistically, vocationally, and credit wise. Along with the increased physical and mental challenges, which typically increase with age, pushing the goal of recovery with a



fraction of the standard of living previously enjoyed (both prior to meeting Wife, and since) further out of Husband's reach.

Husband is repentant for that which he has done wrong, more than most people will ever understand. Husband understands that without his complicity and misplaced trust, he could have never found himself in such a dire state. Yet there is something much greater being done "wrong" here to Husband, than by Husband. As Wife leverages the law, along with her violent character assassinations of Husband, with a fraudulent narrative, the uncommon minority stereotypes, media hype, and social anxieties. While gaining sympathy playing the victim, exploiting common misperceptions about the "weaker" more "fragile", "innocent" and "needy" gender. That is certainly the story which Husband believes that Wife would like the court to believe; however, that's not what Husband believes that the evidence here shows.

a Husband was sleep deprived, distraught, and overwhelmed after court on August 1<sup>st</sup>, when Husband learned that he is losing his home, which holds his entire life's savings, all his retirement, and nearly a decade of work, by the aggressive, unfair, harassing, demeaning, strategically planned, multi-faceted legal assault by Wife and her counsel. Wife's main objective is to not pay Husband alimony, at ALL costs. Even at the expense of destroying herself; her career, her health, and her life. (Claim will be backed with significant documentation.) Especially after the 2019 tax reform laws, where alimony is no longer tax deductible for the advantaged

party. Even though Wife has been the primary breadwinner for the past 12 years of their marriage.

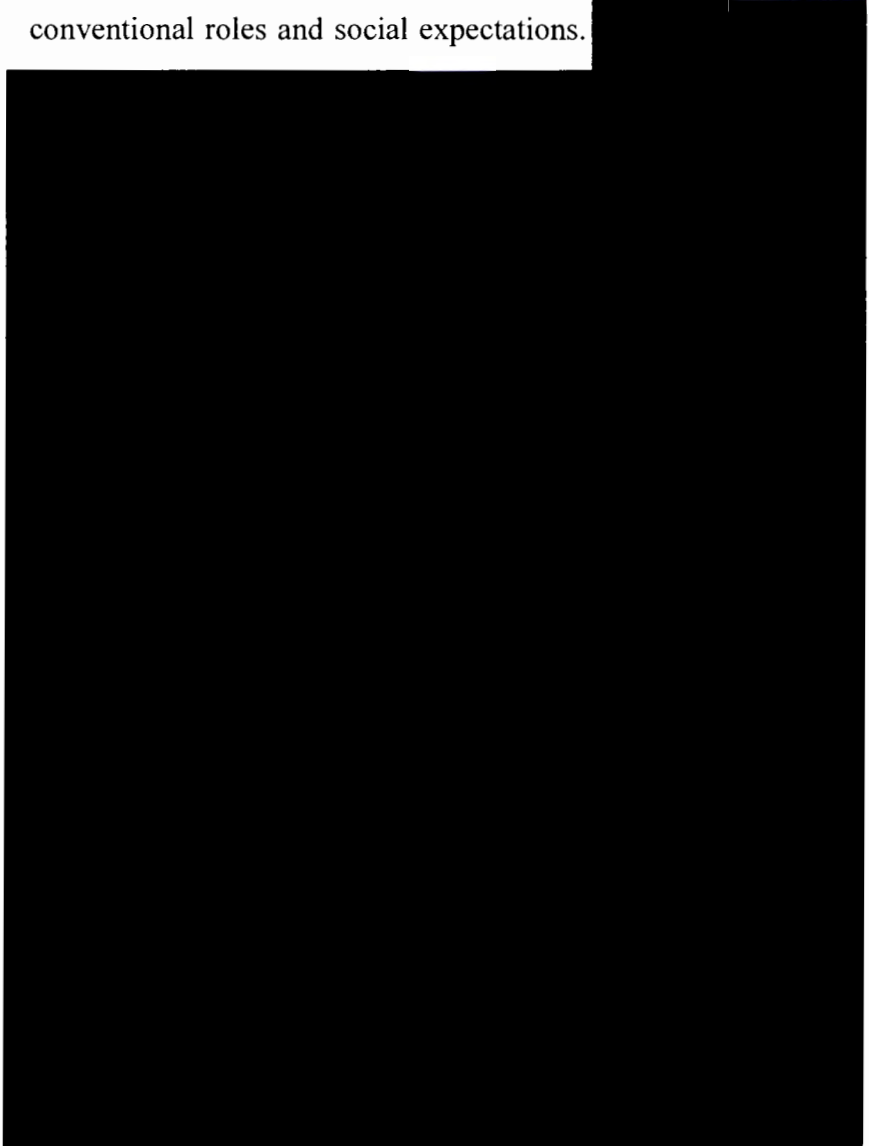
b Wife has been “bullying” Husband, both financially and legally, with false claims. Wife’s first divorce complaint stated that Husband is crazy, but highly skilled and employable, a complete contradiction of claims. Now Wife’s narrative is that Husband is dangerous, while being highly employable since he is a “genius” with computers.

i Husband has been tested to have an IQ of 100, which is as perfectly “average” as they come.

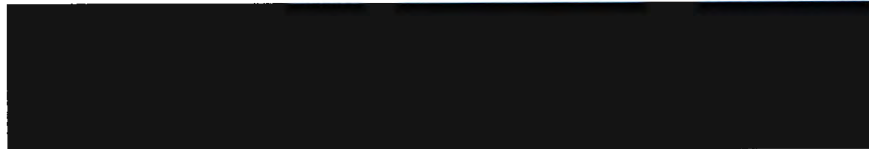
ii Husband is not a “genius” at anything, especially related to any specific vocation, as he has spent his lifetime diluting his vocational value to any one discipline, by migrating from trade to trade, primarily determined by supply and demand, rather than passions, interests, and aptitude, which has been Wife’s privileged vocational history. Prior to marriage, without any higher education, Husband has always been a blue-collar worker, often working two and sometimes three jobs simultaneously, simply to support himself with a comfortable but much, much lower standard of living, than the couple had together.

c Wife claims that Husband refuses to work.

i That claim couldn't be more of a lie. Husband works constantly to try to meet every need of the family, to contribute "his share", and to (impossibly) please Wife. Husband has never been lazy, nor even accused of such. Wife complains now, accusing Husband of refusing to have a job outside their home, because it adds leverage to her divorce complaint, based upon conventional roles and social expectations.







iii Wife repeatedly assured Husband, that as long as the two could live on her income, without accruing a negative cash-flow, increasing their debt, that Wife was absolutely content in living their entire lives on primarily Wife's income, in order to have Husband manage and take care of every other major need for the family, and to be at her beckon call. Wife affectionately called Husband her "House Husband", both publicly and in private.

iv Wife also liked having Husband constantly at home, to care for, meet any emergency needs for, and provide company to the family's pets. Wife is a very abnormal pet lover, beyond any common conventional belief structure, and would sacrifice anything to ensure the happiness of the family's pets.

d Wife claims that Husband refused to sell their marital residence, despite the dire financial condition which Wife was in. That Husband was a constant obstructionist regarding the sale of their home.

i Though the home is a once in a lifetime opportunity for Husband and Wife, originally cherished by both, holding almost their entire net worth, which Husband had not only invested all

of his wealth into, but also his daily labor maintaining and improving the property for nearly a decade.

ii Recognizing the realistic alternatives while trying to determine how to rebuild his life, there were many times, frequently for several months, within the past year and a half, when Husband was not only willing to sell the marital residence, but Husband even offered to freely surrender his equity to Wife twice, with the sole condition that Wife live in the home and enjoy it for five years, before selling it, simply to profit from cashing-out and keeping both of their equity.

iii In all the above-mentioned instances, for one reason or another, often without Wife even providing an explanation or a response why, Wife chose not to perform, hence keeping our joint ownership in our home.

iv The urgent financial need has been fabricated by Wife, and Wife has refused to put the primary terms of her own verbal settlement agreement with Husband, on paper. Resulting in at least as much delay in selling the home as Husband has caused.

e With Wife possessing a degree from MIT, and being a licensed architect, with a \$94k per year gross income, which is actually an income of \$116.5k per year with her employer provided benefits included (while

Husband was a high-school drop-out and has never made over \$50k per annum), neither of which would have been possible without Husband's support, it was jointly determined, very early in the marriage, that Wife's time is best leveraged earning income, while Husband's time is best leveraged making said income work hard and efficiently for our family, while filling every other crack in our lives. Husband managed, customized, and cared for our homes and their properties. Husband managed our finances, managed our taxes, managed a rental property for most of the marriage (Duplex), which Husband previously owned. Husband also ran several small businesses, from being a Residential Real Estate Agent, to opening a small marketing firm, building websites, performing IT work both locally and remotely, while managing and maintaining most of the Tech needs of Wife's architectural firm, for many years.

f Husband is completely self-taught in the area of computers and technology, without any licensing or certification, and having never worked for any company in that capacity, except for his own tiny start-up, which almost completely serviced Wife's employer. Similarly, Husband's "jack of all trades and master of none" career path, has diluted his value in any one specific discipline.

g Prior to the marriage, Husband worked blue-collar jobs all his life. The most recent of which was running multi-million-dollar printing presses, for Atlantic Envelope Company, with the global FedEx contract for



manufacturing their Tyvek envelopes. Husband was one of the top-three “Lead Pressmen”, in both skill and wages, within his manufacturing plant. This was a good job, with good benefits, including an hourly rate of \$24 per hour at its best, but there was a hard ceiling at that point with no room to grow, advance, explore, or excel.

h Husband’s employment with Atlantic Envelope Company ended shortly after the marriage, after Wife obtained her Architect’s License with Husband’s help. Wife encouraged Husband to pursue a career in Real Estate, which excited us both for a while, as we explored the intersection between Architecture and Real Estate, taking on a “flip”, rehabbing it literally from the ground-up, and selling it, while we studied other investment models and properties. In the end, both Husband and Wife found Real Estate to be stressful, unreliable, and generally disappointing. Through an aptitude test in counseling, both learned that Husband is “wired” more toward the technical professions, instead of what are primarily “people centric” occupations.

i Husband regretted leaving Atlantic Envelope Company for several years, since it was the best money and “fit” which he had found so far. Husband only feels good about a job, when he is seasoned, proven, and can out-perform most of his co-workers. Husband has always found his security in his skills, never before in his relationships.

j Within a few years, Atlantic Envelope Company was sold a couple of times, then they went bankrupt. The Nashville plant was closed, and finally the entire company went out of business. The same has been the case for CPS in Franklin, where Husband previously worked as an “Assistant Pressman”. Along with nearly every manufacturing printing company in town. Printing, once the second largest industry by volume, in the Greater Nashville Area, probably isn’t within the top 100 today. The industry is simply gone, largely due to home computers and overseas manufacturing.

k Husband needs vocational rehabilitation, in order to focus training on a specific tech discipline, to grow his skills, value, and to earn a certificate or license in an area which has the capacity to earn what Husband made prior to the marriage, over twelve years ago. Husband’s only IT “reference” currently, would be Wife and Wife’s employer. Neither of which are willing to lend their endorsement, despite Husband’s excellent performance in serving their firm, in different roles for over a decade. While simultaneously saving them a small fortune, compared to industry-standard rates.

[REDACTED]

Wife has manipulated and taken advantage of Husband, as well as the legal system, while extorting every bit of value from Husband’s life, finally to discard him as a piece of trash without any responsibility or care. Wife blatantly lied to this court, to pretend to feel “physically

threatened”, when Wife knows clearly that “words” are Husband’s “weapon of choice”. Actually, words are really what Wife fears the most from Husband, not in the toxic or abusive sense like she is portraying and you would expect (we rarely even communicate anymore), rather Wife fears Husband publishing evidence online, showing Wife’s unethical, senseless, careless, and even criminal activities. Some of which Husband must now share here today, in order to have any chance at a fair trial, after the exhaustive amount of false and fraudulent narrative which Wife and her counsel have repeatedly attacked Husband with now (4x), before Husband even had the opportunity to file an “Answer and Counter Complaint for Divorce”. Despite the false narrative presented by Wife and counsel to date, Husband continually wrestled with his first Attorney to file the “Answer and Counter”, ultimately bringing about his “change in counsel”, at Husband’s choice.

a Wife’s real reason for wanting an Order of Protection, was to use as a GAG order, preventing Husband from notifying the public online, or through local media, the scam which Wife is getting away with, legally and financially dominating Husband and then dumping him here, while self-sabotaging and lying about assets to qualify for bankruptcy, simply to exhaust any financial relief Husband is due, both during the interim, as well as after the divorce, by way of alimony.

b Through “Collaborative Divorce” with Sandy Arons, Husband and Wife learned that husband should be legally due between 22% - 24% of Wife’s gross income, for approximately half the term of our marriage, which is about 6.5 years.

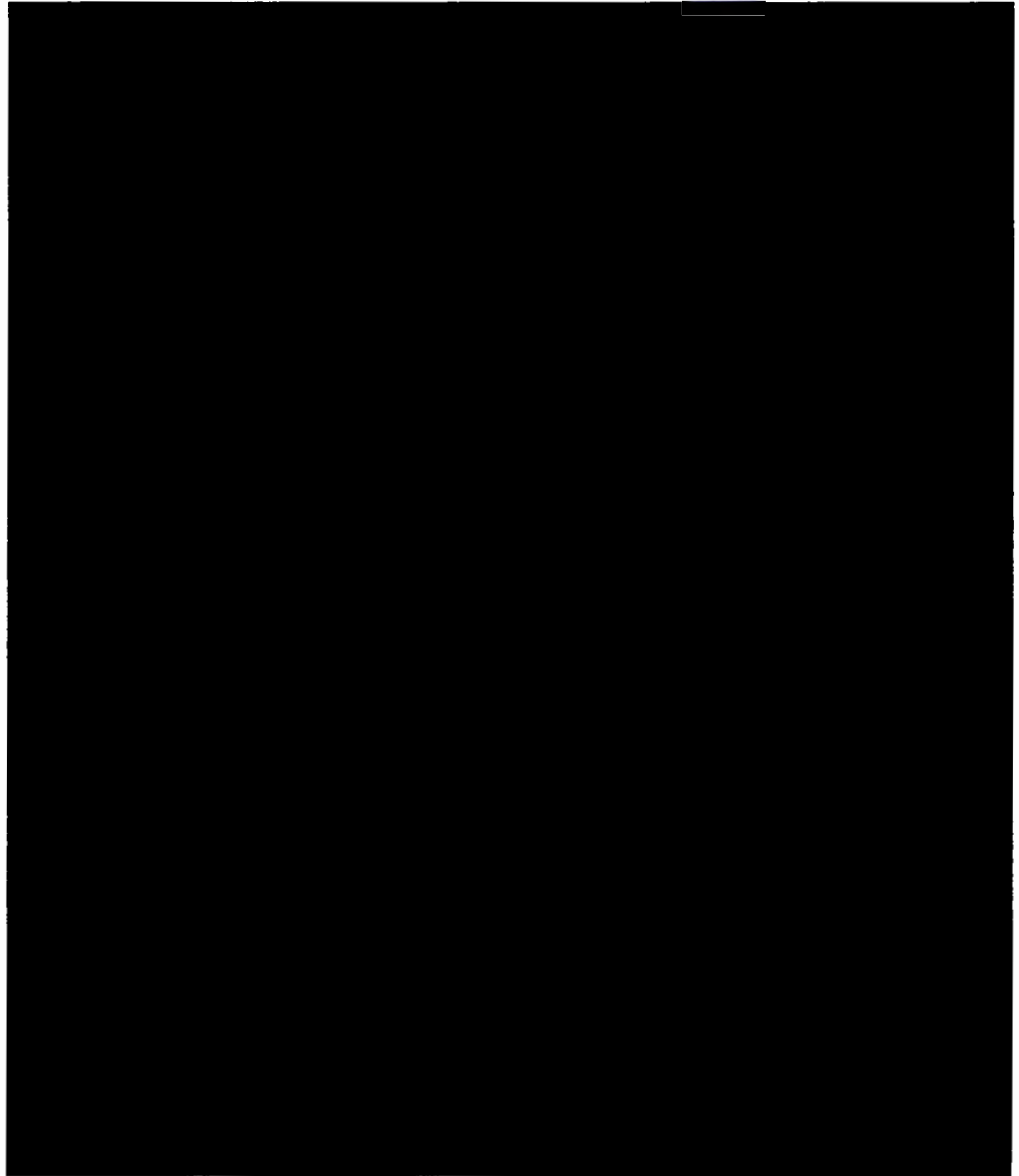


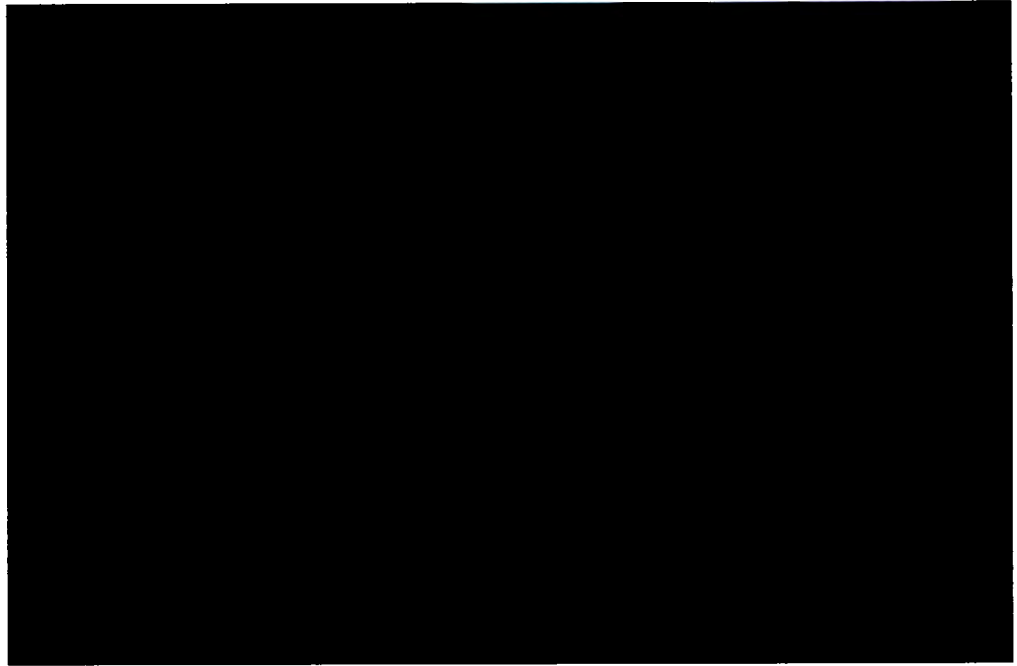
c In real numbers, during negotiations, that worked out to be between \$2k - \$2.2k in alimony, per month, for a period of 6 years (at that time). Even after Husband and Wife decided to do a “Non-Suit” to sell our home outside court, it was with the verbal agreement for the parties to split the proceeds from the sale 50/50, less only the first and second mortgages. Followed by Wife paying Husband transitional alimony, in the amount of \$1,750 per month, for a duration of 6 years.

d The agreement was that after the marital residence was sold outside of court, each party would be responsible for the debts in their own name (hence the reason for doing this outside of court), each taking our 50% of the net sale proceeds, to do whatever we choose with it. Then, claiming to no longer have any “marital property” or “marital debt”, we would file a FREE divorce using the forms provided online by the State of Tennessee. After which Husband would continue to receive the \$1,750 per month (as transitional alimony, which can’t be modified), for 6 years, as he sought vocational training, and began his whole life over at 50 years old.

e The only reason why Husband and Wife never proceeded with the plan to sell our home as agreed, is because Wife absolutely refused to put our agreement into writing. Though confirmed via email, Wife knew that her employer was planning to retire within the next year, so she expected the firm to close, and Wife wants to get a “fun” job now, or to only work “part-time”, as she has since finally admitted.

f The Chapter-13 bankruptcy forced husband out of the house, with no prior warning about the default. Wife refused Husband's questions about their mortgage status, as he saw most of this coming, except for Wife's own bankruptcy, that was a surprise, but brilliantly cruel! While husband suspects those mortgage payments were funneled to pay for Wife's legal fees, both for her bankruptcy and the divorce, with Wife's current counsel.





i Husband and Wife had promised each other that we were going to live in this home, on Sunnyside, for the rest of our lives. Everyday that's what Husband worked for... Forever! 60% of everything Husband did, wasn't for the benefit of that day, week, month, or even year... but to make a nice home for us forever! Without which, neither of us could have ever afforded to purchase a comparable home in this zip code. Husband would get to continue to work from home or be a "House Husband" as Wife affectionately called him (almost daily). Anything which Husband asked about around the House, Wife would make a snappy comeback with, "that's your job!" Husband's job never ended, and it was eventually discovered that once menopause started early (about 5 years ago), that Wife was absolutely impossible to please!

j Keep in mind, that Husband contributed about 60% of our start-up capital, toward the down payment, and nearly \$100k in renovations the first



year we purchased our home. Both Husband and Wife cashed out all Roth IRA retirement funds, to invest into the down payment, as soon as the funds recovered 75% of their value prior to the 2008 housing market crash. So, with a purchase price of \$350k in 2011, plus around \$100k in renovations that first year alone, we were at around \$450k during the start of 2012, then Husband sowed seven more years of work into improving our home, forever!

k During this time, Wife invested her life/time into increasing her professional value as an Architect. (Something which no-one can ever take away from her.) Meanwhile, Husband invested his life/time into customizing and maintaining our home forever, to enjoy and benefit from (he believed), for the rest of our lives. Which was abruptly taken away by Wife's scams, financial and legal coercion, and the court ruling an absolute auction with no minimums, including all of Husband's personal property, if he can't move it out quickly enough. As Husband simultaneously needs to spend days and weeks endlessly trying to learn how to legally survive Wife's constant legal harassment.

l As verified by the attached exhibits, the fraudulent narrative, and the motions and petitions filed by Wife hence far, Husband respectfully asks the court for relief, under the legislation known as "Stalking by Way of the Courts". Wife has filed abusive motions and petitions in this divorce, designed to "harass or maliciously injure" the Husband, by exhausting his economic resources and trying to force him to make financial concessions.

This is simply a litigious form of domestic assault. Also referred to as “malicious prosecution or abuse of the legal process”.

i All filings by Wife under Docket No: 48419B, show some form of this oppressive harassment, stalking, and domestic abuse.

ii Additionally, the “MOTION TO DEEM HUSBAND SERVED”, and all the attached ugliness, including our custom “No Trespassing” signs, at the entry, designed collaboratively by Husband and Wife together. Yet falsely portrayed by Wife, as an irrational act by Husband, further used as justification for the Ex Parte Order of Protection, filed by Wife against Husband, to further harass, control, stifle, dominate, and injure Husband’s first and second amendment constitutional rights, knowing exactly how crucial those freedoms are to both Husband and Wife.

1 Wife’s counsel filed this motion on 6/20/2019, the day after Husband’s counsel (then), Attorney Brittany Gates, communicated with Ms. Story on 6/19/2019, informing her that Ms. Gates was representing Husband, that Husband had already received service, and that Ms. Gates was Husband’s Counsel of Record. None the less, Wife’s counsel filed this motion with the court, though totally unnecessary, purely for the opportunity to further

smear the Husband's name, with their false and fraudulent narrative, solely for more litigious leverage over Husband. (They weren't going to let all that good ugliness go to waste.) Furthermore, someone from Ms. Story's office directly emailed the documents to Husband, though they had already received notice that Ms. Gates was Husband's Counsel of Record. Such created an ex parte communication, which was wholly abusive and unnecessary (Exhibit-C).

2 The marital residence was purchased on 4/29/2011 (Exhibit-D).

3 Honeywell Vista alarm system, was purchased on 6/13/2011 (Exhibit-E).

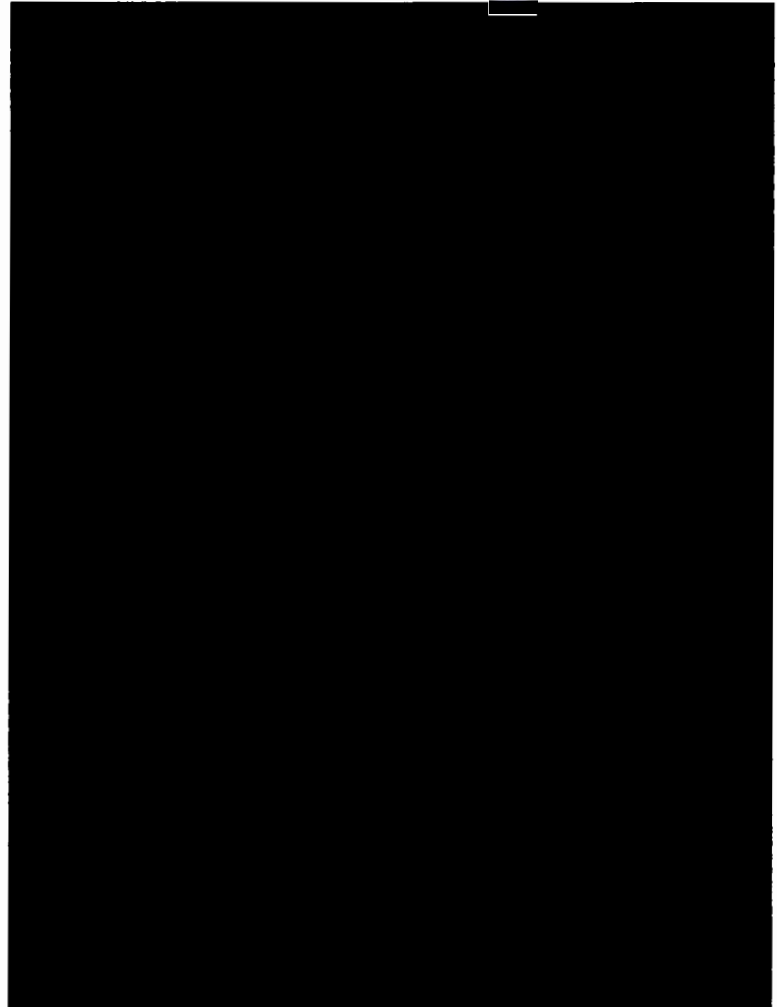
4 Zavio IP Dome surveillance camera was purchased on 3/15/2013 (Exhibit-F).

5 No Trespassing signs purchased Nov/Dec 2015 (Exhibit-G) shows communications between Husband and Wife will selecting sign styles, along with purchase receipts.

6 Hikvision IP network surveillance cameras (10x) were purchased on 1/20/2016. Floorplan design by Wife, allocation by Husband and Wife (Exhibit-H). Installation by Husband. The floorplan provided is file



dated 9/5/2016, with Wife's handwriting visible on the bottom-right, with the following dimensions "outerhole: 3 1/2" from each inside edge of facia..." Wife drew other plans and elevations, to help Husband determine roof/soffit/facia relationships and dimensions to install throughout.



8 Alarms are normal for everyone, Husband and Wife had those at their previous home. Husband and Wife also had "No Trespassing" Signs at their previous home,

though that was primarily due to the transient rental neighborhood that the Duplex was zoned in, near Nipper's Corner.

9 The signage was for setting "boundaries". The alarm was really the only thing for "security". The surveillance cameras (which weren't monitored), were only for "accountability", after damage or intrusion was detected and researched for proof.

10 All of the electronics had something to do with the fact that both Husband and Wife like electronics, Husband more so than Wife, yet both are geeks at heart. Additionally, Husband's small business from home was in the tech industry, and Husband enjoyed learning about new technologies while installing them in his home first, to see if there might be any viability to adding that to the services he offered. Most took way too much time for Husband to ever be able to reasonably offer installation services to others. At the same time, both Husband and Wife got to enjoy a home (forever) which had built-in technologies, which neither of the parties could have ever afforded to pay third-party companies to install, administer, manage, and host. (At least not concurrently.)



n Husband believes that with the assistance of Wife's father, Wife undermined Husband's equity, by redirecting months of missed mortgage payments to the destination of Wife's choice. Hence benefitting Wife toward another financial need, while forcing the home toward foreclosure, and simultaneously leaving the court with no choice but to eject husband and tenants, followed by auctioning the home.

o Husband refused to render himself "homeless", without having in writing (even without lawyers), some assurance about how Husband could again afford to have a place to live. Now because of Wife's games, her deep dark strategy [REDACTED]

[REDACTED]

[REDACTED] allows Wife's income to decrease (as she plans), and the bankruptcy court will modify her "bankruptcy plan" to accommodate her reduced income.

p Husband insists that Wife had no legitimate need for an OP, but rather that she simply wanted the protections of a "GAG" order, along with



the opportunity to assassinate Husband's character and continue with her fraudulent narrative. Wife was armed at all times, with both her Glock .40 caliber handgun, which she keeps inside her purse (it is under the seat of her car, while in court) and a large law-enforcement quality, pepper spray cylinder, attached to her keychain. Husband requests that the OP Ex Parte be abolished, as it was fraudulently requested, under false pretenses, for purposes other than which it was designed, as a sweeping order to provide physical safety to those in jeopardy of physical harm.

q One of the realities which Husband understands in life, is if someone calls the police and says (with panic), "Help! I'm scared that my Husband (brother or friend) might publicly expose the TRUTH about me online, along with the substantiating proof." That the police don't usually rush over to arrest, restrict, or confine the perpetrator.

r However, if you simply change a couple of words to say (with panic), "Help! I'm scared that my Husband (brother or friend) might physically harm me." In that event the police will probably rush right over, intervene, arrest, warn, restrict, or confine the perpetrator.

i At which point, if you can obtain an Order of Protection, or a Temporary Order, you're not only protected from physical harm (which was never really a concern).

ii You also are protected from a host of other concerns, since the "perpetrator" has had some of his basic constitutional rights revoked, as a result of the tiny lie which you told the police.

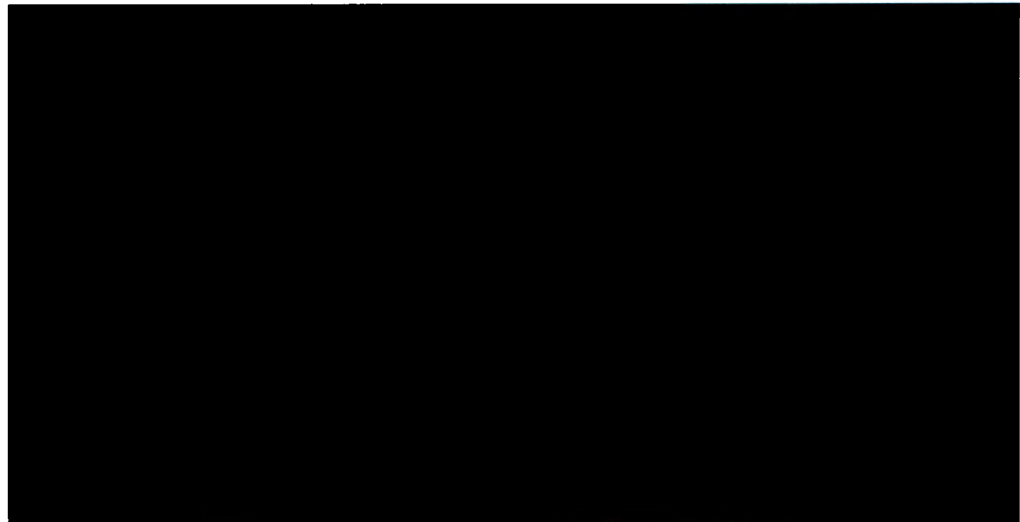
iii Husband has seen this abused more than once, and so has Wife, and people know the power which this one tiny lie can yield over others.

iv It is for this reason, that during Husband's research, that an Order of Protection is commonly referred to as "the second most oppressive and abused piece of legislation" used against the American people. It is also commonly referred to as "the nuclear bomb of divorces." Husband can personally attest to the accuracy of both of those descriptors.

s Even though Wife has convinced herself (and everyone within her circle of influence), that she is the victim here, really many of her "actions" (as opposed to Husband's "words") have been extremely aggressive, even violent, in a non-physically threatening way. Wife's unilateral choices, without a moment's notice, warning, or any opportunity to course correct, have financially devastated the family, and rendered all their property virtually worthless.

t Husband accepts his share of blame in all matters. Husband knows that he is neither a victim nor an abuser, he is something rather broken, in between.





w Throughout marriage, Husband felt as though he could never “catch-up”. Between Husbands ADHD (challenge with focus) and OCPD (a need to do tasks excellently, or not at all), Husband never seemed to be able to “catch-up” to Wife (Exhibit-A). Wife appears to be counting upon that, with her divorce tactics now. To keep running, and running, and running. If Husband ever has the time and resources, he can disprove every false claim of Wife, which is why she is intentionally hitting him as hard and repeatedly as she can.

x The simple thing which Wife apparently doesn’t see, is if she worked “with” Husband a little bit, to help him reach some level of financial, vocational, or residential stability, Husband would make his way on his own. Never as quickly as Wife. Never nearly as fruitful or prosperous as Wife. But that is life. Husband wants to be “free” as badly as Wife does. He just hasn’t had the time to fight these litigious battles while trying to reinvent himself at 50 years old. Husband can handle one major project or challenge at a time. If Husband is to move, then Husband needs 2-3 weeks



with nothing else in the World to focus on besides moving. Likewise when he gets moved, he will need a couple of months to get sorted in his new environment, adjust to massive social and economic losses, and try to find some job to help buy food until he can improve his vocational training, to where he could be functionally independent again.

y Husband doesn't want to "use" Wife as she and her family believes. Husband made more money and had significantly more property than Wife when they met. Husband was never attracted to Wife because of her MIT degree or her professional future, she didn't have a dime when Husband met her, and was actually \$15k in debt to her mother from her previous divorce.

z Husband's foundational belief is that both Husband and Wife reached this state of brokenness together, so they should work their way out of it together also, rather than poaching off of Husband's poor elderly mother, at the age of 50 years old. Husband's mother was primarily a single parent "nurse", with five children. Every penny Husband's mother has, is because she denies herself basic luxuries which Husband still enjoys daily, even though Husband is penniless, unemployed, largely unemployable (due to speed and specificity, along with outdated vocational skills and experience), and soon to be homeless. Please see the letter left to Husband and his mother's best friend and husband, regarding what she had saved her money for, since both of her parents got dementia as they aged (Exhibit-J).

aa After October of 2018, when the Court schedule was mostly full, through the end the year, Wife refused to “settle”, saying that since she missed-out on the tax write-off, which was grandfathered for all who finalized their divorces prior to 2019. Wife has refused to work with an independent third-party by any means since. The reality is that \$120k in alimony over the next six years, is a lot scarier to Wife than throwing away our equity in our home, than paying a lawyer \$20k-\$40k to fight a “contested divorce”, or even than filing bankruptcy herself, in the end. Earning slightly less than a six-figure income and filing bankruptcy over \$50k in debt. Husband is the opposite, has never had over a \$50k per-annum job. [REDACTED] While Husband’s last retirement investment in his home, is being essentially forced-out by fraud...

[REDACTED]

3. Husband has a sleeping disorder, which Wife believes to be “Non-24”, that she learned about during one of the narcolepsy conferences which she attended. Husband never saw any confirmation regarding Wife’s walk-through confirming any time or date for the walk-trough, since it was so short notice (Husband has told his counsel, that he requires at least twelve hours’ notice prior to any commitments or meetings, because Husband is often awake all night, and sleeps all day. Such was the case in this instance.

Husband awoke around 3am to find information in his email about the appointment, after the scheduled date and time had already concluded, twelve hours prior. (Husband is often awake for 24 hours, then sleeps for 12 or 16. Husband must always know before going to bed, when he has any appointments or obligations the following day. , until after the time scheduled by Wife's counsel, while falsely claiming that I had confirmed the appointment time and date.

a Despite the complaints from Wife's counsel about Husband trying to delay or obstruct the walk-through or the auction in any way, that is completely false. The court order never mentioned anything about the Auctioneer accompanying Wife and her counsel during this walk-through. This walk-through per court order, was supposed to be completed much earlier, with a subsequent list of items which Wife wants to keep (determined during the walk-through, which was the purpose of the walk-through, as well as for Wife to ensure the condition of the property). Wife's counsel sent a list prior to the walk-through in an attempt to comply with the court order, but completely failing to meet the 10-day deadline for the walk-through, plus to provide to husband the subsequent list. Nobody informed Husband about the accompaniment of the Auctioneer, or any other parties beyond Wife and her counsel. Any other arrangements were at the fault, and outside the control, of Husband. To this day (8/27) Husband has been told that Wife is still compiling a more comprehensive list of personal property, which she established during the walk-through, yet even



though it was legally due by court order on August 11<sup>th</sup>, Husband has still never received any such document since the inspection.

b Husband made every attempt to communicate quickly and accurately with Wife's counsel to help schedule this, even going so far as copying her directly in Husband's emails to his counsel to ensure that his messages were getting relayed to Wife's counsel in the quickest possible fashion (for which Husband was reprimanded both by his counsel and wife's), but Wife's counsel still totally dropped the ball on this, while again aggressively blaming Husband and filing a complaint with the court.

i This is simply another example of litigious "bullying", which is completely inappropriate, harassing, abusive, unacceptable, and illegal.

ii Husband respectfully requests that the court order Wife and her counsel, to be less litigious, to work cooperatively with Husband toward solutions benefitting both parties, rather than filing inaccurate, twisted, false, and condescending motions, to hijack, oppress, and injure Husband, both in respect to the financial injury which he has suffered to date, of nearly \$13k in legal fees, without even beginning his divorce, as well as injuring husband's physical and emotional, needing to figure out how to reply to these often fraudulent motions, under the threat of incarceration should he fail. Meanwhile, if Wife and her

counsel really want to sell the marital residence, then Husband both needs and deserves enough time to pack his possessions (all 3,000 SqFt of them) and move to Michigan. This will take an absolute minimum of two weeks to simply be ready to vacate the property, which Husband wants to do prior to the auction.

1 As such, Husband requests an extension for the sale date, as well as for the dates for Wife to remove her personal property, so that Husband will not again be forced to vacate his residence, when he needs every available moment for packing.

2 Husband requests that the court order a two-month moratorium on any deadlines and court filings on this docket, including all motions, petitions, etc... with the only exception being if Husband fails to vacate the property by September 15<sup>th</sup>.

3 This time is needed with Husband's handicaps, so that he can focus on his move, and have any chance at completely evacuating the property by September 15<sup>th</sup>. (Provided the court approves.)

4 This would allow the minimum time required both to pack and prepare to move, while allowing husband to break-down his office and complete the move to

Michigan, without fear of concurrent litigation being filed, forcing Husband to redirect all energies to meet the emergency legal demands.

5 The move will require Husband to obtain significant storage space, and will require a lot of physical assistance, for weeks, to just begin to get settled, while moving into Husband's mother's small basement in Michigan.

6 After which Husband will need to assemble office furniture, and rebuild his network, get his server up and running, etc... during which time Husband will have no access to any of his files and records related to this divorce.

7 Consequentially, until this move is completed, Husband will be physically incapable of responding to court filings without Wife first winning default judgments, which is absolutely unfair.

8 Should the court not find this two-week auction deadline extension agreeable, or the two-month moratorium on all court filings so that Husband will have the time needed to move, then Husband will be forced to remain in Tennessee throughout the Auction,



and require additional financial assistance to do so, now that Husband's tenants have been evicted by the court.

a As per court order, there are no more rents coming in, plus Husband was forced to return tenant deposits, which he had used to merely survive, Husband is now behind on all the utilities for the property, and requires some emergency financial assistance from Wife, immediately, if the court will allow. Otherwise Husband will be forced to turn-off all utilities upon vacating the property, to not run up more debts in Husband's name than necessary.

b The utilities run approximately \$400 per month, plus with the loss of \$1,400 in rental income, which just barely allowed Husband enough money for food, gas, meds, and to pay the utilities, Husband requests some immediate emergency financial relief from Wife, in the amount of \$1,000 now, to bring the utilities current and to provide Husband with enough money to purchase food and his basic essentials, from now until September 15<sup>th</sup>, when Husband vacates the property to head to Michigan.

c Husband is temporarily borrowing the money for the move from his mother, expecting that cost to be around \$3,000, plus the cost of monthly storage. Husband requests the court to reimburse this expense to Husband's mother, immediately upon the sale of the home, from the Husband's portion of the remaining equity.

d Husband also requests the court to order Wife to transfer all the utilities back into her name immediately, or if the court and the Wife prefer, to order Wife to pay Husband an additional \$500 prior to 9/5/2019. to leave the utilities on in the Husband's name, through the auction, up until closing, provided that all takes place within our current timelines.

e After the move, Husband respectfully requests that the court order Wife to begin paying Husband \$500 per month again, adjusting her bankruptcy plan as needed, as temporary support, to help cover the cost of Husband's food, so not to further burden Husband's mother financially.

f Of these monies listed above, Husband respectfully requests that only the costs of moving and storage, be deducted from Husband's share of the sale proceeds, as the rest is believed by Husband to be the minimum due Husband from Wife, under Tennessee law, to help partially support Husband, until a full and final divorce decree can be reached, along with hopefully a corresponding alimony agreement, which Husband sincerely hopes the court will grant him, so that Husband will have an opportunity to obtain vocational rehabilitation and one day become financially independent again.

9 Should the court be agreeable to extend the deadline of the auction for two-weeks, and to the two-month moratorium on all court filings, provided that Husband vacate the property by September 15<sup>th</sup> as proposed, then Husband requests that the court all the Wife to handle all communications and interactions with the Auctioneer, after September 15<sup>th</sup>, once Husband has vacated the property.



10 In such event, not out of any disrespect for the court, obstinance, or belligerence on the part of Husband, nor due to any resentment toward the court, Wife, or this process, Husband respectfully requests that by court order, (not a POA or Quit Claim Deed, which Husband must sign), the court executively provide the Wife with the authority to completely sell the property, without the need for any signatures or participation by Husband.

a To frankly explain the reason this is so important to Husband, again, it is out of no act of disrespect, rebellion or defiance, it is simply a matter of beliefs. Husband believes that by providing his signature, that he is approving of the transaction which he is signing for.

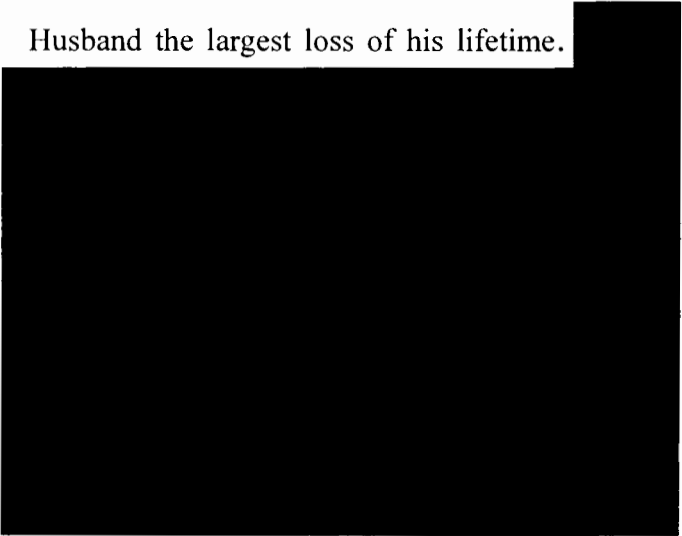
b While Husband believes that he is being robbed of his home, and any opportunity to take over payments and try to keep it, by Wife's fraudulent default on the mortgages performed months ago by Wife, without providing Husband with any notice, while refusing to even reply to Husbands questions on the matter.

c Husband does not blame court for this, but Husband absolutely feels as though he is being robbed of most of what he has worked for in his life. Regardless of the auction sales price, or the amount of final alimony Wife is ordered to pay Husband (should alimony be awarded), Husband will never, in his lifetime, have the opportunity to enjoy this standard of living again. With all the unique characteristics which this property naturally possesses, as well as those which Husband spent nearly a decade building and constructing on the property, for the family's home forever. Husband recognizes this as a once in a lifetime chance for both the Husband and Wife, which now they have foolishly forfeited.

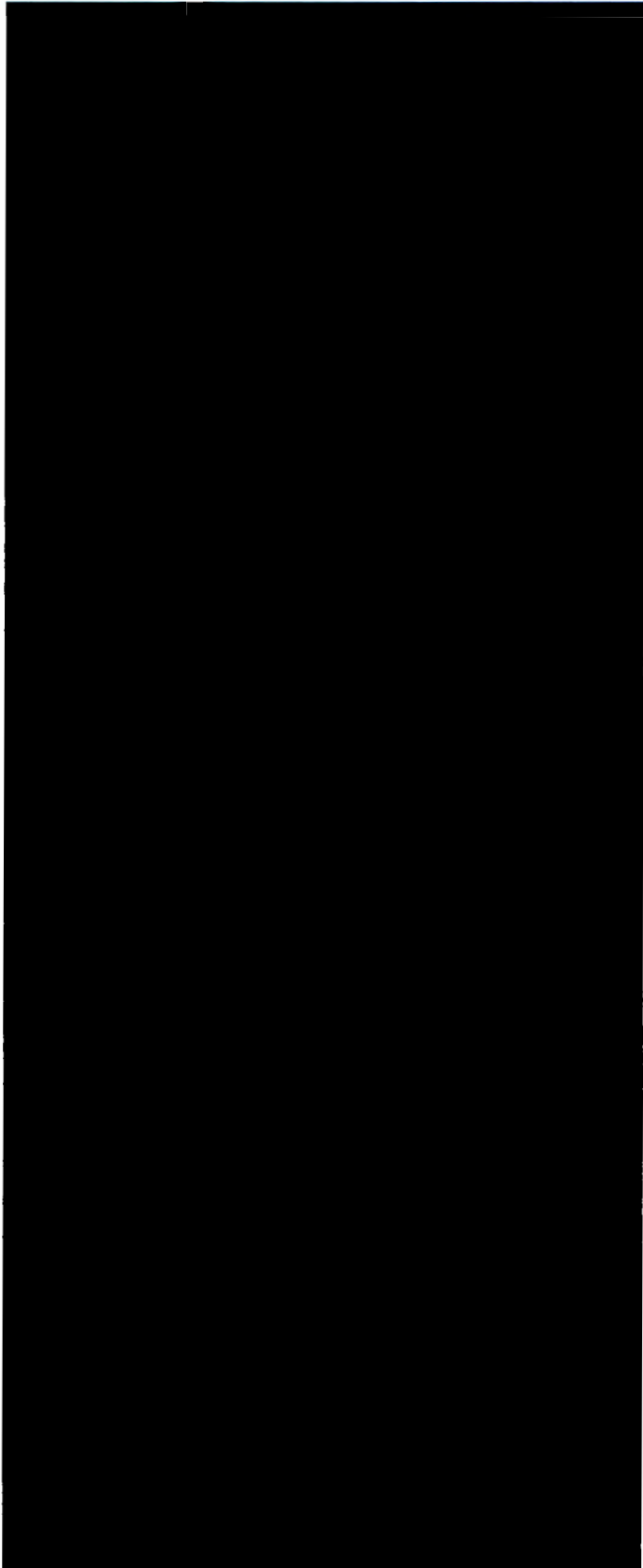
d Husband tried with every ounce of his being to prevent Wife from forcing this outcome, but with the mortgages in Wife's name, Husband ultimately was powerless over monitoring their status. At the same time, without some serious training, followed by a full-time job, and a few years of advancement, there is no way that Husband could have proactively paid the

mortgages, just “in case” wife wasn’t continuing to pay those bills, as she had been. Without absolutely any notice to Husband that her financial situation had changed, even if legitimate, which Husband highly doubts. Regardless, with timely notice from Wife to Husband, that their jointly owned asset was at risk, Husband could have worked towards finding a solution to help cure that financial shortfall, prior to reaching the point of default.

e Yet Wife stole that opportunity from Husband, and as such, suffering a loss of a lifetime, without so much as a hint in advance, Husband wishes to play no part in the final moves of Wife’s schemes, to abandon and financially undermine Husband, costing Husband the largest loss of his lifetime.






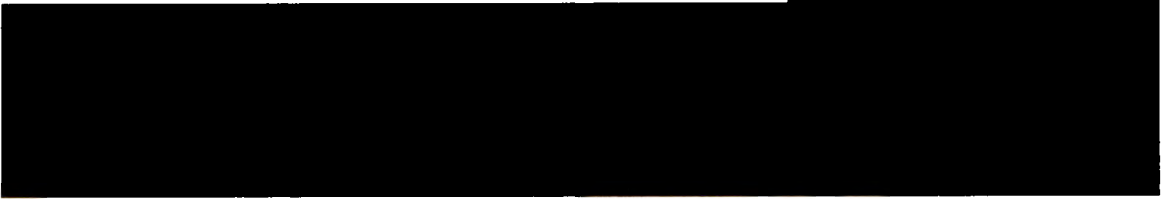




4. Per court order, both the Wife's walkthrough and thereafter her list of personal property which she requested from the marital residence, were supposed to both be completed within 10 days of the August 1<sup>st</sup> hearing date. That means that per the order of the court, the deadline for both of those tasks to be completed was on 8/11/2019. Ms. Story never even contacted Husband's counsel to begin scheduling the walk-through until 8/12/2019, already missing the deadline, requesting the walkthrough on the on the 13<sup>th</sup> or 14<sup>th</sup>, days later after the court ordered deadline. Yet Wife's counsel still finds it necessary and appropriate to legally blame, bash, and harass me with her litigious accusations, twisting information to make me sound as if I'm the party who failed to adhere to the timelines ordered by the court. Again, Husband respectfully requests that the court take action to discipline Ms. Story, to correct her actions, and change her future narratives to much less frequent and less hostile, and to work on improving her accuracy some, while reducing her slander of Husband's name and his character, both which Husband finds highly offensive, and which is harmful to Husband's mental and emotional health.

a Husband respectfully asks the court to please not allow Wife back on or inside the marital property, unless the court should choose to first terminate the Order of Protection Ex Parte, obtained by Wife's completely fraudulent testimony, so not to interfere with Husband's packing, by forcing Husband to vacate his home again, prior to either his move by September 15<sup>th</sup>, if approved by the court, or until after

the auction is finalized and the court provides Husband with the funds from the sales proceeds, necessary for Husband to move and obtain lodging here locally

5. Husband respectfully requests that he be awarded all his attorney's fees hence far, totaling around \$13k, most of which Husband borrowed from his elderly mother, as Husband has not even reached responding to the divorce complaint yet, but all \$13k in legal costs have been exhausted simply to protect Husband from the harassing, abusive, false, and fraudulent claims of both Wife and her counsel.   


6. To date, absolutely no delays of process have been due to the fault of the Husband, despite the deceitful claims of Wife and her counsel. Husband's first counsel failed to perform, though Husband was promised a draft to his Answer & Counter Complaint, which Husband has still never seen to this day. Absolutely no documents were filed, except for an extension to the temporary OP, so that Husband could gather a shocking amount of evidence, to hopefully dissolve the matter, but the continued failures to perform by Ms. Gates, forced Husband to borrow another \$5k from his mother to hire Husband's second set of counsel, with only two work days remaining to respond to both the fraudulent OP claims, as well as the order to sell my home. The two largest decisions in my life to date, with only two days to respond, while Ms. Story absolutely refused agree to an extension for my incoming counsel, in either of the monumental and immediate matters. As such I see not why she is carrying-on about any delays or failure to perform on my part, except again to assassinate my character and to litigiously harass and abuse me.



a I respectfully request that the court order Ms. Story to attend a legal ethics class, to encourage her to be more honest, sincere, and kind in her legal motions. Such abuse by legal process is absolutely barbaric and intolerable.

b Husband prays that the court will defend him in regard to Ms. Story's abusive treatment, and/or that she be replaced by another member of her firm in this matter, having failed to act as her office should require.

c Husband has no objection to waiving the Mediation, as Wife has made it clear to Husband that she is in no way wanting to participate in any collaboration, mediation, or any other fair, neutral third-party assisted solution, or we would be divorced by now. Wife is only interested in a judgment, and refuses to settle by any other means, despite having filed bankruptcy, and the dire financial condition of both parties.

i For the purpose of again correcting the narrative of Ms. Story's verbal attacks by legal process, Husband wants to clarify that Wife's desire to skip mediation has nothing to do with her fear of Husband, especially for the ridiculous benefit of being mindful of the safety of everyone else involved in the process. I've never been more falsely harassed by anyone, and again, I appeal to the court to please intervene.

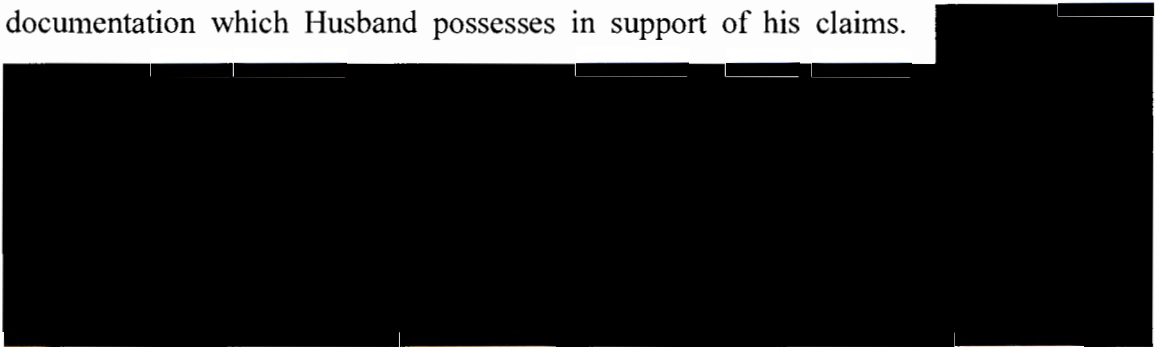
ii The real reason why Wife has refused every attempt to sit down at the same table with Husband and work towards a fair solution, has absolutely nothing to do with Husband's words,

the intensity of his presence, or any pressure which Husband could emotionally inflict upon Wife.

iii The reason is because Husband is the one person in the entire World, which Wife really struggles looking in the eyes and lying to, about her fraudulent, victimized narrative, since Husband was THERE with Wife, and remembers vividly what really happened and what did not. In contrast, most other people take Wife at face value, seeing her obviously distraught, disheveled, and injured impressions, not realizing that the majority of what they are being told, is either a really twisted version of the truth, or an absolute lie. While the signs of abuse which she portrays, some of which are real, but are self-inflicted, and never ceasing, by Wife's relentless desire to discard Husband without a penny of alimony, vocational rehabilitation, a roof over his head, or food for his belly. Wife is absolutely destroying herself, fighting to be what she calls "free" or "independent", unwilling to recognize or accept any financial obligation, responsibility, or reparations for the impact which she has had upon the Husband's life, as it lies all in ruins now, and in two months another family will be living in the home which Husband invested the proceeds of his entire life, both financially, and in labor.

7. Husband can't apply for any insurance, until Husband has either obtained vocational rehabilitation and subsequently found gainful employment, or until Wife starts paying adequate alimony to pay for said insurance, as well as meeting some of Husband's other real financial needs, such as purchasing food, paying for meds counseling, etc... Should the court be willing to order such support for Husband, then providing the sum is adequate, Husband will be happy to apply for such independent health insurance.

8. The reality is, that contrary to Wife, Husband can definitively prove each and every word written in this response and counter motion. Husband has put forth an absolutely exhaustive effort to provide the court with some of the information which Husband feels may be pertinent to helping the court discern whether Husband or Wife is presenting the truth to the court. At the same time, this is probably 1/100<sup>th</sup> of the documentation which Husband possesses in support of his claims.



As we are both completely broke, as recovery is realistically not even plausible for Husband, though his financial independence hopefully is, with some structured support and vocational training, leading to a technical certification or license in a progressive field, with vocational opportunities in the area which Husband resides. Continuing with this matter in the court is harmful to all parties, despite Wife's inability to stop injuring herself, and consequentially Husband, since Husband will never be able to focus, with his



handicaps (ADHD, OCPD, GAD, Sleep Disorder) as long as Husband's life is on trial, and due to Husband's financial shortcomings, and Wife's refusal to pay, Husband shall have no choice moving forward except to represent himself.

So at the end of the day, we can either continue as we have here today, for likely the next three years, forcing Husband to put recovery, rehabilitation, and all progress to rebuild his life on hold, until Husband no longer needs to "play lawyer", so that he can focus upon rebuilding some semblance of his life. Husband has serious concerns, about the proceeds from the sale being parked with the court for very long, since Wife's abusive and litigious counsel works right across the street from the courthouse, while Husband will not be in state or able to adequately defend himself.

Furthermore, Husband is absolutely terrified to drive over the Cincinnati bridge, as wife can well testify. Husband has not driven over that bridge in a decade, and the last time Husband had a serious panic attack, and nearly passed out while driving a U-Haul with Wife.

So Husband's only options are either to take enough Xanax that he can probably drive over the bridge safely, to then need to shortly thereafter find a place to park and sleep it off, or to have someone else who can drive Husband over the bridge, of which Husband knows of no volunteers (mother is now too old for that drive). Therefore, due to these exceptionally complex and harmful consequences for both parties, to continue in court any longer, Husband asks that the court make an exceptional modification to protocol, and provide to Husband and Wife a full and final divorce, here today, upon the grounds of

irreconcilable differences, and determine as fair of a financial settlement between the parties as the court is realistically equipped with the information it has, including the exhibits provided herein. Should the court be willing to grant us a final divorce today, but require more time to review the abundance of documentation provided, which is honestly completely unbiased, and to issue said settlement in the near future, without requiring another court appearance, Husband would be very welcoming to such an outcome as well.

Despite Husband's real need for support in this matter, Husband needs even more to never need to drive back over the Cincinnati bridge, to continue this violent process against each other and our own persons. For reason of mental and physical health, I beg the court to end this once and for all today, to save us all the next three years of our lives, wrestling over breadcrumbs. Husband's requests for a settlement approximately half of what the parties previously discussed, planned, and verbally agreed upon, is outlined below, which Husband respectfully asks the court to consider granting. Should the court decide to grant less to Husband, then Husband shall find no need to object or file further motions, Husband shall gratefully accept whatever the court finds fair. Husband does request that the court not decide upon any judgment which can be modified, altered, or which leaves the door open for future litigation, by either party. Else Husband fears that this case shall perpetually carry on forever, costing both parties more than either party can financially, emotionally, and mentally afford.

Although settlements are typically reached between opposing counsel; due to the abusive manner in which Ms. Story has presented herself throughout her filings in this case,

Husband respectfully requests that the court make an exception here to help protect Husband from needing to sit with Ms. Story and endure her condescending narrative and tone. Instead Husband simply requests that the court make a full and final determination, without any further negotiations or litigation between the parties.

Therefore, should the court not find Husband's request to be in the best interest of both parties, as well as of that of the court, Husband is reasonably certain that he'll never realistically see or benefit from any of the proceeds from the sale of his home. As Wife's counsel and other demands nibble away at it, beyond the practical reach of Husband. Whereby losing his retirement savings, and everything which Husband has earned during his lifetime, which would be one final travesty to end this absolutely toxic divorce.

Yet whatever it must be, so be it. Husband just asks the court for fair and reasonable consideration, and to end this nightmare once and for all. So, Husband can focus on what lies ahead, returning from where he once came, but has been fortunate not to need to leave since reaching adulthood.

Should the court have any questions or need any information, please feel free to ask. Husband can be emailed directly at [REDACTED] A mountain of documentation pertaining to the marriage is available upon your request.

Thank you for accepting this late filing, and earnestly considering the plethora of complex findings contained herein.

WHEREFORE, Husband would respectfully request that:



1. The court order a full and final divorce to Husband and Wife, on the grounds of Irreconcilable Differences. ~~The Order of Protection be made permanent and that Husband be required to pay her attorney's fees for having to bring this Motion.~~

2. That the Temporary Order of Protection be terminated. Husband is willing to sign a "Hold Harmless" with Wife, which can be styled to include both of our families, our employers, etc... so to protect both parties from either defaming them or publishing anything online about them, for the rest of our lives. Not requiring yearly renewal as with an Order of Protection, and also not injuring Husband's vocational potential, like an Order of Protection.

3. If for any reason the court is not willing to terminate the Temporary Order of Protection, Husband respectfully requests that it only apply to Davidson and Williamson Counties, and that it not be converted into a full order, so not to affect Husbands employment potential. (Husband's firearms are located in a friend's gun vault in Goodlettsville. Husband needs to be able to legally pick them up in the U-Haul, while driving North toward Michigan, as Husband moves there for the foreseeable future.)

4. That the court divide any proceeds remaining from the sale of the home 50/50, while ordering both parties to continue assuming responsibility for the debts in their respective names. [REDACTED] Husband requests that his half of the split be paid directly to his mother, "Marsha A. Fenton" [REDACTED] [REDACTED] to help setup a trust for the future needs of Husband, educationally or otherwise. (Provided there is enough money to justify doing so.)

5. That in addition to the 50/50 split requested above, that the court repay Husband's mother, "Marsha A. Fenton" [REDACTED] \$10,000 directly out of Wife's

share of the sale proceeds, prior to paying any other debts, obligations, or creditors, except for the two mortgages. This is to reimburse Husband's mother for the expense of defending Husband against these totally unnecessary litigious claims, without even addressing the divorce yet in a conventional manner. Wife had previously assured Husband that she was finished with her litigious assaults, yet Wife still elected to execute her largest, most unfair, brilliant, but absolutely devastating legal assault upon Husband to date, again, without a moments warning. Husband therefore request the court to order Wife to repay Marsha A. Fenton for her resulting losses.

6. That at least a sum of \$21,000 be paid to Husband's mother, Marsha A. Fenton, to repay Husbands debts to her, prior to paying off any other debts, obligations or creditors, except as stated herein.

7. That the court payoff the outstanding balances to Husband's legal counsel \$8,600 to Marty Duke and \$2,579.39 to Schaffer Law Firm, directly out of Wife's share of the sale proceeds, immediately following the repayment of Husband's mother, prior to paying off any other debts, obligations or creditors, except as stated herein.

8. That the court award Husband transitional alimony, which the court automatically deducts from wife's paycheck, in the amount of \$1,000 per month, for a period of four years, and wife be ordered to have her bankruptcy plan modified to compensate for this.

9. If there are any emergencies where Wife cannot legally pay alimony for any reason, that all missed payments be added onto the end of the four years, so that the overall benefit to Husband is not diminished in the end. (With the proposed alimony of \$1,000 per

month for a period of 4 years, that would equal a total alimony to be paid by Wife to Husband, of \$48,000.)

10. That after the full four year term of alimony is paid, by Wife to Husband, after having made up for any months missed throughout, that Wife should owe Husband, no more alimony or support of any kind, ever again, regardless of Husband's health, need or any other circumstances, conditions, or factors.

11. That Wife's employer keep Husband insured, as Mr. Ken Adkisson previously promised until the end of this year, or until Wife is no longer employed with that firm, whichever comes first.

12. That afterwards, Husband be responsible for his own insurance needs, without demand or oversight by this court.

13. That the court would order that neither the Wife, nor her counsel, can further litigate, sue, or harass husband, by means of legal actions or otherwise.

14. That the court order a "do not contact" on both parties for a period of one year, regarding the other.

15. That both parties execute mutual lifetime "hold harmless" agreements, to include protection both to and from their families, employers, and friends, in addition to themselves.

16. The court order the auction date to be extended by a period of three-weeks after the final litigation is entered/heard in this matter, or after a 2-month moratorium is ordered by the court, forbidding anymore legal filings, until Husband has had an opportunity to complete his move to Michigan and get settled. During which time Husband



is not to be disturbed by any of the parties in this matter, so that he can focus on packing and realistically have a chance to complete it, on such a short deadline.

17. An Order be entered allowing Wife to sign any necessary listing contracts or agreements to sell the home including closing documents on behalf of she and Husband.

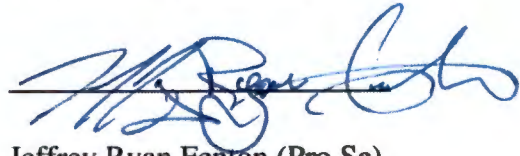
Tenn. Code § 39-16-507(a)(3) Coercion or Persuasion of Witness:

(a) A person commits an offense who, by means of coercion, influences or attempts to influence a witness or prospective witness in an official proceeding with intent to influence the witness to:

(3) ...be absent from an official proceeding to which the witness has been legally summoned.

(b) A violation of this section is a Class D felony.

Respectfully submitted,



Jeffrey Ryan Fenton (Pro Se)  
1986 Sunnyside Drive  
Brentwood, TN 37027  
[jeff.fenton@live.com](mailto:jeff.fenton@live.com)  
(615) 837-1300

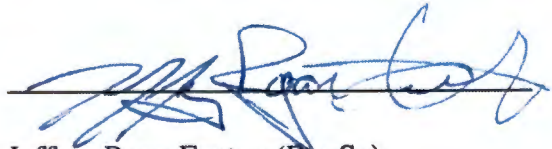
This Motion is expected to be heard on the 29th day of August, 2019 at 9:00 a.m. If no written Response to this Motion is filed and served in a time set by Local Rules of Practice, the Motion may be granted without a hearing.

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was forwarded via email, hand-delivered, and/or first-class mail to Virginia Lee Story, Attorney for Wife, at 136 4<sup>th</sup> Avenue South, Franklin, TN 37064, on this the 29 day of August, 2019.

Tenn. R. Sup. Ct. 3.4 - Fairness to Opposing Party and Counsel:  
A lawyer shall not:

(g) request or assist any person to take action that will render the person unavailable to appear as a witness by way of deposition or at trial;



Jeffrey Ryan Fenton (Pro Se)

The COA refused to consider this, instead they demanded that I write an "appellant brief" before they would consider anything further, or relief of any kind. I told the COA that I was unable (didn't know how) to write an "appellant brief" due to the overwhelming amount of fraud which took place by Story and Binkley. I provided sworn testimony to the COA that Binkley was bias, refused to hear me, and collusive with Story, making everything in #48419B VOID. I also provided sworn testimony to the COA that Story was excessively abusive, violated the rules of conduct almost non-stop, and that Binkley and Story cast harsh, punitive, "default" judgments against me, after they had wrongfully evicted me from my home and driven me out of the State of Tennessee. By the illegal actions of Binkley and Story I was prohibited from physically being present in Tennessee to participate in court in person. Knowing that they had told me during court on 8/29/2019, that I could participate in the next hearing over the telephone, but once I was over the state line, they renege on everything they said during court on 8/29/2019, which could benefit me. Per 455(a) both Binkley & Story were "disqualified" repeatedly, by their criminal misconduct. Chancery Court lost all lawful jurisdiction & authority.

8

Fawn Fenton  
(615) [REDACTED]-7377 • mobile



Can I pickup Taco Salads and come have dinner with you?



Jan 21, 2019

**F** Hello, thank you for the offer, but no, I am too tired and I have a headache. I'll see you tomorrow.

Fawn Fenton (mobile) • Jan 21, 2019

Ok... see you in the morning.



Jan 21, 2019

**F** Terry is at 215 Centerview, suite 208, right?  
(I am on potty with belly-ache right now... Going to try to get out the door soon...)

Fawn Fenton (mobile) • Jan 22, 2019

No, he is in Maryland Farms now:

5115 Maryland Way, Suite #134, Brentwood, TN 37027

Inside the Chapple Building



Jan 22, 2019

Oh ok!

**F** I might be a few minutes late... Pooper not cooperating... Cramps.... Ungh....

Fawn Fenton (mobile) • Jan 22, 2019

I always park in the back of the building, and enter from the back. I'm heading there now. When you get there I can come out and show you the way from the first floor lobby.

It would probably be quickest for you to take the back way, up Church Street, onto Maryland Way.

Careful I just hit a bad to ice

A patch of ice



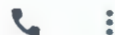
Jan 22, 2019

**F** Having terrible cramps... Can't get out of bathroom right now... This sucks, sorry!

Fawn Fenton (mobile) • Jan 22, 2019



Fawn Fenton  
(615) [REDACTED]-7377 • mobile



If you're still on the body it's time to abort Mission and head to Terry's



Jan 22, 2019

**F** Doubled over in pain... Can't walk yet... The enemy is attacking me with cramps...

Fawn Fenton (mobile) • Jan 22, 2019

Dang... we're here waiting.



Jan 22, 2019

**F** This really sucks, I don't think I'm going to make it... Curled up on floor in fetal position in pain with terrible cramps....

Fawn Fenton (mobile) • Jan 22, 2019

I'm sorry.



Jan 22, 2019

**F** Does Terry have another appointment at 9? I will pay him for another hour if he's available... (Cramps starting to subside a little....)

Fawn Fenton (mobile) • Jan 22, 2019

Tuesday 11, 4, 5  
Thursday wide open except for 2. (Probably 9am, or??)



Jan 22, 2019

**F** Do you mean Tuesday today? (Could do 11:am today)...

Fawn Fenton (mobile) • Jan 22, 2019

Terry could do noon or 3 today.



Jan 22, 2019

**F** Ok noon!

Fawn Fenton (mobile) • Jan 22, 2019

Ok, see you at noon today.



Jan 22, 2019

**F** Ok thank you!

Fawn Fenton (mobile) • Jan 22, 2019

Fawn Fenton  
(615) [REDACTED]-7377 • mobile



See you then!

I'm back in my car, about to hit Kroger's quickly for Ice Cream and Kiwi Veggies, is there anything that I can pickup and bring you, to help you feel better? Drugs, over the counter meds, breakfast?

I'd seriously be glad to bring you anything that will help make your morning a little better.

Do you need me to take you to the doctor or hospital?

I could pickup your fetal position body, wrap you up in a sheet or blanket, lay you in your hatchback or my trunk, and drive you to the ER or the clinic of your choice?

Still at Krogers... ?



Jan 22, 2019

**F** Oh hello, I was sleeping. I am mostly ok now. Definitely have a cold, though.

Fawn Fenton (mobile) • Jan 22, 2019

Need anything from store?



Jan 22, 2019

**F** No that's ok. Thank you very much for offering, though.

Fawn Fenton (mobile) • Jan 22, 2019

I'm in the lobby on the first floor waiting on Terry and you.



Jan 22, 2019

**F** Thank you again for the balloon and flowers and donuts, I really do love them and that was so thoughtful of you.

Fawn Fenton (mobile) • Jan 22, 2019

Thank you for answering your phone when I called.



Jan 22, 2019

**F** You're welcome. Thank you again for the balloon and flowers, they're brightening my kitchen.

Fawn Fenton (mobile) • Jan 22, 2019

Fawn Fenton  
(615) [REDACTED]-7377 • mobile



**F** 🙄 my heart is broken for you too. I'm so, so sorry for your pain. I know you're a good person, which is why I'd hope someday we can still be friends.

Fawn Fenton (mobile) • Jan 23, 2019

Hopefully we can!



Jan 23, 2019

**F** A part of my heart will always love you too.

Fawn Fenton (mobile) • Jan 23, 2019

Goodnight Tootie! Please forgive me someday if/when you can!



Jan 23, 2019

**F** I am definitely working on forgiving you. You deserve forgiveness , and I hope you can heal from this huge loss. I am so sorry I was unable to communicate with you and I'm sorry for all the times I made things worse.

Fawn Fenton (mobile) • Jan 23, 2019

Here is what I would say about myself in hinddight, "I've never know someone who worked harder, while getting nothing meaningful done."



Jan 23, 2019

**F** Hello, I pray for some peace for you today. (Regarding your text right above, I used to always think of you like you were riding a stationary exercise bicycle; peddling furiously, working so hard, but going nowhere. Sorry, not that that helps.) Anyway, my cold is much much much worse today. At least I have donuts, those sure are good and cheer me up. 🍩 🍩 🍩 🍩 🍩 🍩

Fawn Fenton (mobile) • Jan 23, 2019

**F** Thanks again for the donuts and flowers! I just ate last donut yesterday; flowers are still doing good!

Fawn Fenton (mobile) • Jan 26, 2019

**F** Understandable that your mom wants to sympathize with you. Situation is definitely heart- breaking.

Fawn Fenton (mobile) • Jan 27, 2019

Yeah, but not really helpful.



Jan 27, 2019



Fawn Fenton  
(615) [REDACTED]-7377 • mobile



Phone is falling on my face... Nightie night...  
Thank you for being kind.

Jan 27, 2019

Nightie night. Likewise Tootie!

Never in my life did I want it to be me against you! That was my worse  
nightmare!



Jan 27, 2019

9

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

<b>DONALD W. FISHER,</b>	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 3-15-cv-127</b>
	)	<b>Judge Crenshaw</b>
<b>CHRISTOPHER GATES AND GATES</b>	)	<b>Magistrate Judge Frensley</b>
<b>CONSTRUCTION AND DESIGN, LLC,</b>	)	
<b>Defendants.</b>	)	

**REPORT AND RECOMMENDATION**

Pending before the Court is Defendants’ Motion to Vacate Entry of Default (Docket No. 55) and Plaintiff’s First Motion for Default Judgment (Docket No. 61). For the reasons stated herein, the undersigned recommends that Defendants’ Motion to Vacate Entry of Default (Docket No. 55) be Granted in part and Denied in part; and Plaintiff’s First Motion for Default Judgment (Docket No. 61) be Granted in part and Denied in part. Specifically, the undersigned recommends the entry of default as to the individual Defendant, Christopher Gates, be vacated but that the entry of default as to the corporate defendant, Gates Construction and Design, LLC, remain and that the Motion for Default Judgment be Granted as to Gates Construction and Design, LLC only.

**Standard of Review**

Federal Rule of Civil Procedure 55 (a) requires the clerk of court to enter a party’s default when the party “against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend” and “that failure is shown by affidavit or otherwise.” Fed. R. Civ. P. 55 (a). Upon entry of default a party may proceed to seek default judgment under Rule 55 (b), either from the clerk of court or the district court. The Sixth Circuit has held that entry of default is a





prerequisite to a default judgment. *Devlin v. Kalm*, 493 F. App'x 678, 685-686 (6<sup>th</sup> Cir. 2012). “Once a default is entered against a defendant, that party is deemed to have admitted all the well pleaded allegations in the complaint except those relating to damages.” *Microsoft Corp. v. McGee*, 490 F. Supp. 2d 874, 878 (S. D. Ohio 2007)(citations omitted). Rule 55 (c) of the Fed. Rules of Civil Procedure allows the district court to set aside an entry of default for good cause. Fed. R. Civ. P. Rule 55 (c).

## DISCUSSION

### **Defendants’ Request to Set Aside Default**

Following the entry of default in this case Defendant filed an Answer to the complaint (Docket No. 54) and Motion to Vacate Entry of Default (Docket No. 55). Plaintiff has not filed a response to Defendant’s motion to vacate.

The Court acknowledges that Defendants are acting pro se in this matter, and their pro se status is a factor for the court to consider in its good cause determination in setting aside a Defendant’s default. *Dessault Systemes S. A. v. Childress*, 663 F. 3d 832, 844 (6<sup>th</sup> Cir. 2011)(Citing *Shepard Claims Serv., Inc. v. William Darrah and Associates*, 796 F. 2d 190, 194 (6<sup>th</sup> Cir. 1986). Nevertheless, pro se litigants are not exempt from the requirements of the Federal Rules of Civil Procedure. *McNeill v. United States*, 508 U. S. 106, 133 (1980). The Court also notes that “mere negligence or failure to act reasonably is not enough to sustain a default.” *United States v. \$22,050.00 in United States Currency*, 595 F. 3d 318, 327 (6<sup>th</sup> Cir. 2010).

While the failure of the individually named defendant to answer the complaint is clearly negligent, nothing before the court suggests that defendant acted to thwart the judicial proceedings or with reckless disregard for the effect of his conduct on the proceedings. *See, Childress*, 663 F. 3d at 841. It is clear from the pleadings that the defendant wishes to defend

against this action. Therefore, the Court recommends that the default against the individually named defendant be set aside.

With respect to the corporate defendant, the Court has been clear that the defendant corporation must retain an attorney to represent its interest in the case. Docket No. 57. Despite being repeatedly advised of this requirement and its consequences, defendant corporation has not obtained counsel therefore the court recommends that the default as to the defendant corporation remain and not be vacated.

### **Plaintiff's Motion for Default Judgment**

Plaintiff has filed a Motion For Default Judgment (Docket No. 61) based upon the previously issued default (Docket No. 51). Defendants have not responded to the Motion for Default Judgment. Plaintiff contends that default judgment is appropriate based upon the corporate defendant's failure to comply with the Court's previous orders requiring that any pleadings be filed by an attorney admitted to practice before this court and that the Answer filed on behalf of the individually named defendant fails to comply with the pleading requirements of Rule 8 (b) and (c) Fed. R. Civ. P.. Docket No. 61, pp. 1-2.

As noted above, the corporate defendant's failure to comply with the rules supports the entry of default under Rule 55 (a) Fed. R. Civ. P. and likewise the entry of default judgment under Rule 55(b). Therefore, the undersigned recommends that the motion for default judgment be GRANTED as to the corporate defendant, Gates Construction and Design, LLC.

With respect to the individually named defendant, the Answer to the complaint states as follows:

[t]he Plaintiff and only after refusing to perform additional repairs for free on the pool on areas due to damages caused by the mishandling namely freezing of the pool as maintained by the Plaintiff and his pool man who is a disgruntled former employee of the Defendants who was released from Defendants employ

for incompetents (sic) and undesirable conduct, did this action get filed so that the Plaintiff could claim dishonesty on the Defendants part and avoiding the 4 year limitation on his ability to claim.

#### Defense 1 Failure to State a Claim

Defendant answering the complaint herein, alleges all allegations and counts brought forth therein fails to state a claim for which relief can be granted.

WHEREFORE, Defendant prays that the Plaintiff take nothing and that the Defendant have judgement against the Plaintiff and recover the costs of suit herein, and such other relief that the court may deem proper.

Docket No. 54.

Federal Rules Civil Procedure Rule 8(e) provides that “pleadings must be construed so as to do justice,” and the Sixth Circuit has noted that “[t]he drafting of a formal pleading presupposes some degree of legal training or, at least, familiarity with applicable legal principles, and pro se litigants should not be precluded from resorting to the courts merely for want of sophistication.” *West v. Adecco Employment Agency*, 124 F. App’x 991, 992-93 (6<sup>th</sup> Cir. 2005)(quoting *Jourdan v. Jabe*, 951 F. 2d 108, 110 (6<sup>th</sup> Cir. 1991)).

While it is certainly true that the answer does not respond to each and every specific averment in the complaint, viewing the Defendant’s pleadings liberally, as it must for all documents filed by pro se litigants, and mindful of the requirement to do justice, it is clear that the individually named defendant has not failed to plead or otherwise defend against this action and therefore the undersigned recommends that the Motion for Default Judgment for the individually named Defendant, Christopher Gates, be DENIED.

#### RECOMMENDATION

For the reasons discussed above, the undersigned recommends that the Defendants’ Motion to Vacate Entry of Default be Granted as to the individually named defendant, Christopher Gates and be Denied as to the corporate defendant, Gates Construction and Design,



LLC, and that the Plaintiff's First Motion for Default Judgment be Granted as to the corporate defendant, Gates Construction and Design, LLC, and Denied as to the individual defendant, Christopher Gates.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S. Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U. S. C. § 636(b)(1); Fed. R. Civ. P. 72.

  
**JEFFERY S. FRENSLEY**  
**U. S. Magistrate Judge**

10

APPENDIX - 19

REQUEST FOR MODIFICATION

Applicant requests accommodation under Tennessee Judicial Branch Policy 2.07

Applicant Information

Applicant is: \_\_\_ Witness \_\_\_ Juror \_\_\_ Attorney X Party \_\_\_ Other (Specify Nature of Interest): \_\_\_

Name: JEFFREY RYAN FENTON  
Telephone: (615) 837-1300  
Address: 17195 Silver Parkway, #150  
Fenton, MI 48430-3426

Court: COURT OF APPEALS OF TENNESSEE  
MIDDLE DIVISION (AT NASHVILLE)  
Judge: \_\_\_\_\_  
Case No.: M2019-02059-COA-R3-CV

1. Type of proceeding. \_\_\_ Criminal X Civil  
2. Proceedings to be covered (e.g., bail hearing, preliminary hearing, particular witnesses at trial, sentencing hearing, motion hearing, trial): Appeal of Forced Sale of Home, Divorce Judgment, Stalking Charge, and Order of Protection


3. Dates modification needed (specify): Currently – Throughout Appeal

4. Disability necessitating modification (specify): Obsessive-Compulsive Personality Disorder (OCPD) DSM-5 301.4 (F60.5), Attention-Deficit Hyperactivity Disorder (ADHD) DSM-5 314.01 (F90.2), Generalized Anxiety Disorder (GAD) DSM-5 300.02 (F41.1), Circadian Rhythm Sleep Disorder (CRSD) Non-24-Hour Sleep-Wake Disorder (Non-24) DSM-5 307.45 (G47.24), Poverty, Forced Geographic Distance from Court

5. Type of modification requested (specify): Procedural and Technical Flexibility, Additional TIME for Deadlines to Self-Represent by Necessity, Communication Modifications due to COVID-19 and Excessive Mailing Times to Michigan, Judgment Based Upon the LAWS – not just the Technical Codes which I am Knowledgeable about, or able to Research and Cite (ignorance about the law is no excuse for breaking it, hence it shouldn't be for being protected by the law either). Please Judge based upon the SPIRIT of the Law, not just the Technical Manipulation of Words used to Express, Define, and Communicate it. Thank you!

6. Special requests or anticipated problems (specify): Additional TIME and Patience please. By disorder I'm a Perfectionist who has a nearly impossible time Focusing and Remaining On Task, especially when of Significant Consequence. Yet I can't afford to hire anyone to help Represent me. I also request that all Court Communications please be sent to me Electronically, via Email or Fax (I setup a dedicated fax number for the court), because it often takes a WEEK to receive Mail here in Michigan, plus in-house handling times. My Email is jeff.fenton@live.com, and my dedicated fax number for the court is (810) 255-4438.

7. Significant problem and request for Court Oversight, Accountability, Advocacy, and Assistance: I strongly believe that the narrative driving the basis for ALL the actions levied against me so far by the opposing counsel (Ms. Story) has been largely FALSE, Intentionally Deceptive, Bombarding me from every angle simultaneously, specifically to Exploit my Known Disabilities, to Strategically Devastate me, using HARRASSMENT BY LEGAL PROCESS (malicious litigation). Combined with Ms. Story's Reputation, Resources, and Relationships, I don't believe that I ever had a chance at a Fair Trial. Ms. Story BOUND me

PLEASE USE MY TN ADA, UNTIL I HAVE TIME TO FILE.  
Thanks! 



with an OP obtained under False Testimony, then TOOK and DESTROYED everything of substance, which I have ever owned, in just two months.

8. To substantiate my claims about legal inequality and unfairness: During my trial on August 29<sup>th</sup>, 2019, at "The Old Courthouse" in Franklin, as is recorded in VOLUME-4 of my Technical Record, Page-516, Line-6, the Judge told me, "Fair is something you do in the fall."

Despite my many requests that the Court Differentiate this as a "Transcript of Evidence", it remains buried in my Technical Record, even though the Judge procured the Court Reporter himself. The remainder of that same transcript clearly reveals how open, objective, and impartial, the Court remained, amidst my Testimony versus Ms. Story's. I beg you look and see for yourself! Your intervention is requested and seriously needed!

Documentation provided by my Psychiatrist and my Psychotherapist is included to prove that I have the disabilities listed, as well as a real need for the modifications sought herein.

My request for a 60-Day extension, for filing my Brief, will follow; but for the sake of TIME, since I am so SLOW at this, I am sending this Request for Modification separately. Thank you!

I hereby certify that the above information is true and correct to the best of my knowledge.

Date: 7/8/2020

  
(Signature of Applicant)

**G** The request for modification is **GRANTED**.

**G OFFER OF REASONABLE ALTERNATE MODIFICATION** \_\_\_\_\_

**G** The request for modification is **DENIED** because:

- the applicant is not a qualified individual with a disability
- the requested modification would fundamentally alter the nature of the judicial program, service or activity
- the requested modification would create an undue financial or administrative burden
- the applicant refused to comply with the Policy
- the applicant's failure to comply with the Policy makes impossible or impracticable the ability to provide the requested Modification

(Specify) \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
Local Judicial Program ADA Coordinator

**APPEALS**

G Presiding Judge Review requested. (Specify reason and the remedy you want): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Person Requesting Review)

**PRESIDING JUDGE REVIEW**

I have reviewed the original request for modification, the offer of alternate modification OR the denial of modification and the reason for the denial, and the reason that this review has been requested and find as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
PRESIDING JUDGE

G Administrative Office of the Courts Review requested. (Specify reason and the remedy you want): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Person Requesting Review)

**ADMINISTRATIVE OFFICE OF THE COURTS REVIEW**

I have reviewed the original request for modification, the offer of alternate modification OR the denial of modification and the reason for the denial, and the reason that this review has been requested and find as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
AOC DIRECTOR

**Radnor Psychiatric Group, PLC**

5123 VIRGINIA WAY  
SUITE C-11  
BRENTWOOD, TENNESSEE 37027

Telephone: (615) 373-5205  
Fax: (615) 373-5165

July 19, 2019

To Whom It May Concern:

RE: Jeffrey Fenton, DOB: [REDACTED]

Jeff Fenton has been a patient under my care since February 2012. He has been diagnosed with a Generalized Anxiety Disorder, Attention Deficit Disorder, and some Obsessive Compulsive Personality traits. He has been compliant with both his psychiatric medications prescribed and his individual psychotherapy with Terry Huff, LCSW.

The symptoms of his illnesses have interfered with his ability to maintain employment, despite compliance with our treatment recommendations. His condition does not predispose him to any violent behavior and, to my knowledge, he has not been involved in any violent behavior since being a patient under my care.

If you have any further questions regarding his diagnosis, treatment, or prognosis, please contact me with his permission.

Sincerely,



Richard E. Rochester, M.D.



Terry M. Huff, LCSW  
Suite 134  
5115 Maryland Way  
Brentwood, TN 37027  
615-627-4191  
[terrymhuff.com](http://terrymhuff.com)

August 28, 2019

To Whom it May Concern:

I'm writing at the request of my client, Mr. Jeff Fenton, to explain his mental health challenges and their effects on his general functioning. I am licensed as a clinical social worker in Tennessee, and I have a private psychotherapy practice in Brentwood. I have been providing psychotherapy services for thirty years. My specialty is in helping adults with attention deficit hyperactivity disorder (ADHD).

I began seeing Mr. Fenton May 3, 2018. His primary concerns for which he sought my help were marital problems and effects of his ADHD. He has a history of particular difficulties with occupational functioning due to extraordinary perfectionism and getting lost in details, which contribute to inefficiency and missed deadlines. This particular challenge, along with certain other features, are consistent with symptoms of obsessive compulsive personality disorder. ADHD and OCPD have been the focus of Mr. Fenton's psychotherapy. He also has specific phobias and social anxiety, which have not been the primary focus in therapy.

ADHD is a neurological condition that makes it difficult to manage one's attention and inhibit impulses. It is often misperceived as an inability to focus rather than difficulty managing and shifting the focus of one's attention. Adults with ADHD often have difficulty returning to open awareness when locked into a focused state of awareness. They often have trouble activating and sustaining effort on monotonous tasks, organizing and prioritizing tasks, keeping track of items needed for tasks, estimating and tracking time, managing emotions skillfully, inhibiting speech and action (tending to talk excessively and interrupt others), and inhibiting impulses.

Obsessive Compulsive Personality Disorder is characterized by "preoccupation with orderliness, perfectionism, and mental and interpersonal control, at the expense of flexibility, openness, and efficiency," according to the DSM-5 (Diagnostic and Statistical of Mental Disorders - 5th edition). Individuals with this disorder try "to maintain a sense of control through painstaking attention to rules, trivial details, procedures, lists, schedules, or form to the extent that the major point of the activity is lost." They may get so caught up in the details of a project that they don't complete it, or they miss deadlines. It can take them a long time to complete a task due to this excessive preoccupation with details. They are often "inflexible about matters of morality, ethics, or values and may force themselves and others to follow rigid moral principles and very strict standards of performance." They often have trouble delegating tasks to others, as others must conform to their way of doing things. Those tasks must be done "correctly." They tend to "plan ahead in meticulous detail and are unwilling to consider changes." Their ability to compromise may be compromised by the inflexibility. They are uncomfortable with relationships and situations in which they are not in control or where they must rely on others. They are uncomfortable with the unpredictable.

One effect of the OCPD is Mr. Fenton's communication when dealing with conflict. His excesses in speech and writing can appear imposing or hostile. He acknowledges his compulsion to communicate excessively. The compulsion is driven by an undercurrent of unsettled feelings that persist until he is certain there is no possibility of being misunderstood. This pattern is consistent with the disorder (OCPD). His effect on others—i.e., anyone receiving the excess of communication—is often lost on him, as his attention is locked into the effort to be understood. Consequently, those efforts are experienced by others as intense and sometimes hostile.

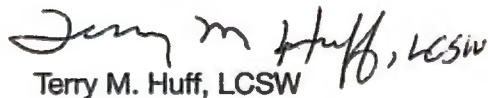
Mr. Fenton is aware that he has more work to do on this problem. He recently requested that we focus less on the present crisis and more on managing the challenge of coping effectively with the symptoms ADHD and OCPD, and decreasing self-defeating behavior. Due to both conditions, Mr. Fenton's excessive attention to what he wants to communicate obstructs him from being aware, in a given moment, of effects of his efforts (e.g., the impact of the volume of his voice when speaking, or the volume of information when writing).

Mr. Fenton has been forthcoming in psychotherapy sessions and has been open and willing to be challenged with respect to his symptoms and their effects. He acknowledges mistakes when they are pointed out and is working to understand how his best intentions sometimes go awry, and his persistent efforts can be self-defeating.

Mr. Fenton has never expressed any intention of harming himself or others during the sixteen months that I have known him. I have never had reason to suspect any intention to harm himself or others. He has participated frequently in a support group for adults with ADHD. He has participated actively and has offered help to others in the group.

Thank you for consideration of the role that mental health and disability have played out in Mr. Fenton's life and relationships. His participation in psychotherapy and related services will continue.

Respectfully,

  
Terry M. Huff, LCSW

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***Obsessive-Compulsive Personality Disorder (OCPD) DSM-5 301.4 (F60.5)***

***Generalized Anxiety Disorder (GAD) DSM-5 300.02 (F41.1)***

***Attention-Deficit Hyperactivity Disorder (ADHD) DSM-5 314.01 (F90.2)***

***Circadian Rhythm Sleep Disorder (CRSD) Non-24-Hour Sleep-Wake Disorder (Non-24)  
DSM-5 307.45 (G47.24)***

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**Radnor Psychiatric Group, PLC**

5123 VIRGINIA WAY  
SUITE C-11  
BRENTWOOD, TENNESSEE 37027

Telephone: (615) 373-5205  
Fax: (615) 373-5165

November 1, 2018

RE: Jeffrey Fenton, DOB: [REDACTED]

To Whom It May Concern:


Jeffrey Fenton has been a patient under my care since 2012. He is treated for a severe Generalized Anxiety Disorder, Attention Deficit Disorder, and suffers from an Obsessive Compulsive Personality Disorder. He also has specific phobias regarding weather, driving across bridges, and flying, along with obsessive concerns over his health.

His symptoms of severe anxiety, obsessive worry, preoccupation with details and rules, perfectionism, inflexibility, and problems with rigidity have all interfered with his ability to hold a job and have a healthy relationship.

I have prescribed medication including Lexapro 40 mg a day, Vyvanse 70 mg a day, Xanax 1 mg every six hours as needed, and Restoril 30 mg at night for chronic insomnia. He also has continued to see Terry Huff, LCSW, in psychotherapy. Despite his compliance with his medication and therapy, his symptoms continue to be disabling.

Please consider Mr. Fenton's severe psychiatric condition in any judgments being made about his ability to work and his ongoing divorce. If you have any questions regarding his treatment or prognosis, please contact me with his permission.

Sincerely,



Richard E. Rochester, M.D.  
RER/sde



# Obsessive-Compulsive Personality Disorder (OCPD)

By **Mark Zimmerman**, MD, Rhode Island Hospital

Last full review/revision May 2021 | Content last modified May 2021

Obsessive-compulsive personality disorder is characterized by a pervasive preoccupation with orderliness, perfectionism, and control (with no room for flexibility) that ultimately slows or interferes with completing a task. Diagnosis is by clinical criteria. Treatment is with psychodynamic psychotherapy, cognitive-behavioral therapy, and selective serotonin reuptake inhibitors (SSRIs).

(See also [Overview of Personality Disorders](#).)

Because patients with obsessive-compulsive personality disorder need to be in control, they tend to be solitary in their endeavors and to mistrust the help of others.

About 2.1 to 7.9% of the general population are estimated to have obsessive-compulsive personality disorder; it is more common among men.

Familial traits of compulsivity, restricted range of emotion, and perfectionism are thought to contribute to this disorder. Comorbidities may be present. Patients often also have a [depressive disorder](#) (major depressive disorder or persistent depressive disorder) or an [alcohol use disorder](#).

## Symptoms and Signs of OCPD

Symptoms of obsessive-compulsive personality disorder may lessen even over a time period as short as 1 year, but their persistence (ie, remission and relapse rates) during the long term are less clear.

In patients with obsessive-compulsive personality disorder, preoccupation with order, perfectionism, and control of themselves and situations interferes with flexibility, effectiveness, and openness. Rigid and stubborn in their activities, these patients insist that everything be done in specific ways.

To maintain a sense of control, patients focus on rules, minute details, procedures, schedules, and lists. As a result, the main point of a project or activity is lost. These patients repeatedly check for mistakes and pay extraordinary attention to detail. They do not make good use of their time, often leaving the most important tasks until the end. Their preoccupation with the details and making sure everything is perfect can endlessly delay completion. They are unaware of how their behavior affects their coworkers. When focused on one task, these patients may neglect all other aspects of their life.

Because these patients want everything done in a specific way, they have difficulty delegating tasks and working with others. When working with others, they may make detailed lists about how a task should be done and become upset if a coworker suggests an alternative way. They may reject help even when they are behind schedule.

Patients with obsessive-compulsive personality disorder are excessively dedicated to work and productivity; their dedication is not motivated by financial necessity. As a result, leisure activities and relationships are neglected. They may think they have no time to relax or go out with friends; they may postpone a vacation so long that it does not happen, or they may feel they must take work with them so that they do not waste time. Time spent with friends, when it occurs, tends to be in a formally organized activity (eg, a sport). Hobbies and recreational activities are considered important tasks requiring organization and hard work to master; the goal is perfection.

These patients plan ahead in great detail and do not wish to consider changes. Their relentless rigidity may frustrate coworkers and friends.

Expression of affection is also tightly controlled. These patients may relate to others in a formal, stiff, or serious way. Often, they speak only after they think of the perfect thing to say. They may focus on logic and intellect and be intolerant of emotional or expressive behavior.

These patients may be overzealous, picky, and rigid about issues of morality, ethics, and values. They apply rigid moral principles to themselves and to others and are harshly self-critical. ~~They are rigidly deferential to authorities and insist on exact compliance to rules, with no exceptions for extenuating circumstances.~~

## Diagnosis of OCPD



- Clinical criteria (Diagnostic and Statistical Manual of Mental Disorders, *Fifth Edition* [DSM-5])

For a diagnosis of obsessive-compulsive personality disorder, patients must have

- A persistent pattern of preoccupation with order; perfectionism; and control of self, others, and situations

This pattern is shown by the presence of  $\geq 4$  of the following:

- Preoccupation with details, rules, schedules, organization, and lists
- A striving to do something perfectly that interferes with completion of the task
- Excessive devotion to work and productivity (not due to financial necessity), resulting in neglect of leisure activities and friends
- Excessive conscientiousness, fastidiousness, and inflexibility regarding ethical and moral issues and values
- Unwillingness to throw out worn-out or worthless objects, even those with no sentimental value
- Reluctance to delegate or work with other people unless those people agree to do things exactly as the patients want
- ~~A miserly approach to spending for themselves and others because they see money as something to be saved for future disasters~~
- Rigidity and stubbornness

Also, symptoms must have begun by early adulthood.

## Differential diagnosis

Obsessive-compulsive personality disorder should be distinguished from the following disorders:

- **Obsessive-compulsive disorder (OCD):** Patients with OCD have true obsessions (repetitive, unwanted, intrusive thoughts that cause marked anxiety) and compulsions (ritualistic behaviors that they feel they must do to reduce their anxiety-related obsessions). Patients with OCD are often distressed by their lack of control over compulsive drives; in patients with obsessive-compulsive personality disorder, the need for control is driven by their preoccupation with order so their behavior, values, and feelings are acceptable and consistent with their sense of self.
- **Avoidant personality disorder:** Both avoidant and obsessive-compulsive personality disorders are characterized by social isolation; however, in patients with obsessive-compulsive personality disorder, isolation results from giving priority to work and productivity rather than relationships, and these patients mistrust others only because of their potential to intrude on the patients' perfectionism.
- **Schizoid personality disorder:** Both schizoid and obsessive-compulsive personality disorders are characterized by a seeming formality in interpersonal relationships and by detachment. However, the motives are different: a basic incapability for intimacy in patients with schizoid personality disorder vs discomfort with emotions and dedication to work in patients with obsessive-compulsive personality disorder.

## Treatment of OCPD

- Psychodynamic psychotherapy
- Cognitive-behavioral therapy
- Selective serotonin reuptake inhibitors (SSRIs)

**General treatment** of obsessive-compulsive personality disorder is similar to that for all personality disorders.

Information about treatment for obsessive-compulsive personality disorder is sparse. Also, treatment is complicated by the patient's rigidity, obstinacy, and need for control, which can be frustrating for therapists.

Psychodynamic therapy and cognitive-behavioral therapy can help patients with obsessive-compulsive personality disorder.

Sometimes during therapy, the patient's interesting, detailed, intellectualized conversation may seem psychologically oriented, but it is void of affect and does not lead to change.

**SSRIs** may be useful.



June 30, 2020

Re: IGA deficiency

In October, 2014, I was referred by my Internal Medicine Dr. Peddireddy to consult with Dr. Suresh Anne at the Asthma, Allergy, and Immunology Center in Flint MI. I was diagnosed with a primary immune deficiency. I have no detectable immunoglobulin A (IgA).

Dr. Anne told me I could no longer visit hospital patients or work in any part of the hospital. As a retired pediatric intensive care nurse, I had wanted to volunteer to work with children. I had to retire from my voluntary parish nurse position. I could no longer visit ill church members at home due to the danger of contracting an infection.

This was over 5 years before the dangerous covid-19. I have not gone to a store, church, hair salon, etc. since, due to the danger to my health. All food and supplies are delivered. None of my family is allowed to visit.....only my son who helps me maintain my health. If he gets exposed, I could easily have a disastrous outcome.

Thank you,



Marsha A. Fenton

Name: Marsha A Fenton | DOB: [REDACTED] | MRN: 027467957 | PCP: RAVIKUMAR R PEDDIREDDY, MD

## Letter Details



**MICHIGAN MEDICINE**  
UNIVERSITY OF MICHIGAN

Michigan Medicine Allergy Clinic | Brighton Center for  
Specialty Care  
Entrance 1, Level 2  
7500 Challis Rd  
Brighton MI 48116-9416  
Telephone: 734-647-5940  
Fax: 734-615-2436

January 13, 2022

To Whom It May Concern:

I had the pleasure of seeing Marsha Fenton on 12/10/2021. She is currently undergoing evaluation for immunodeficiency. I have recommended that she continue to take all precautions recommended for unvaccinated people given it is unclear whether she was able to produce a normal immune response to the COVID-19 vaccines and may not be protected. Therefore, if possible her son Jeff Fenton should continue to work remotely in order to avoid COVID-19 exposures for Marsha.

Any further questions can be directed to the office at the phone number listed above.

From the office of:  
Mariel Rosati Benjamin, MD

CC  
Marsha A. Fenton

*This letter was initially viewed by Marsha A Fenton at 1/13/2022 3:44 PM.*

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**ASTHMA, ALLERGY AND IMMUNOLOGY CENTER**

S. Anne, M.D. R. Botta, M.D. I. Badr, M.D. R. Mahajan, M.D. H. Azzam, M.D.

**Patient Name: Marsha Fenton**

**DOB:** [REDACTED] [74 years]

**Visit Date: 7/2/2020**

Ravikumar Peddireddy, M.D.  
G-1071 North Ballenger Highway, Suite 206  
Flint, MI 48504

Dear Dr. Peddireddy:

Thank you very much for letting me participate in the management of Marsha Fenton, who was seen by telephone consultation on 07/02/20. Marsha states that her IgA deficiency has been stable. She denies any upper or lower respiratory tract infection. She has been following strict avoidance measures from exposing to the COVID-19 infection. She is wearing the mask. She is staying home. Her son also stays with her, who is not working at this time. She denies any fever, chills, or rigors. She denies any upper or lower respiratory tract infection.

**PHYSICAL EXAMINATION:** Deferred at this time since this was done by telephone consultation.

**IMPRESSION:** Ms. Marsha Fenton has:

- 1. IgA deficiency, and
- 2. Chronic rhinosinusitis.

**RECOMMENDATIONS:**

- 1. Marsha is prone to develop recurrent infections. Therefore, I advised her to follow strict isolation measures from exposure to COVID-19 infection.
- 2. Since her son stays with Marsha, I strongly recommend that her son should do his work from home since it will reduce significantly the risk of exposure of Ms. Fenton to the COVID-19 virus.
- 3. A follow-up appointment has been scheduled in one year but I advised her to contact me as soon as the pandemic is over for further evaluation and treatment.

Once again, thank you very much for letting me participate in the management of Marsha Fenton. Please do not hesitate to contact me if you need any further information.

Respectfully,

Suresh Anne', M.D.

Signed Electronically By Suresh Anne, MD  
Signed Date: 7/3/2020 9:16:00 AM

E-Faxed to Ravikumar Peddireddy, MD On 7/3/2020 9:16:00 AM

5155 Norko Drive Flint, MI 48507	801 Joe Mann Blvd Suite L Midland, MI 48642	818 W King St. Suite 101 Owosso, MI 48867	1254 N. Main Street Lapeer, MI 48446	4792 Rochester Rd Troy, MI 48064	18161 W. Thirteen Mile Rd. Suite C Southfield, MI 48076	46325 W. 12 Mile Rd. Suite 213 Novi, MI 48377
-------------------------------------	---	---	---	-------------------------------------	---	---



## Lab Results Report

Asthma, Allergy and Immunology Center

Patient: **FENTON, MARSHA**

DOB: [REDACTED]

Gender: F

Order Number: 0011494

Provider: ANNE, SURESH

Account #: 45961

Source (Lab): Quest

Collection Time: 05/10/2018 10:43

Result Time: 05/11/2018 19:07

Received Time: 05/10/2018 10:44

Accession #: WX534222V

Specimen:

Volume (ml):

Fasting: NO

Comments:

Additional Information:

Test	Result	Flag	Unit	Status	Ref. Range	Lab
<b>IMMUNOGLOBULINS</b>						
<b>IMMUNOGLOBULIN A</b>	<5	L	mg/dL	F	81-463	CB
IMMUNOGLOBULIN G	1494		mg/dL	F	694-1618	CB
IMMUNOGLOBULIN M	68		mg/dL	F	48-271	CB

-----  
**Performing Laboratory Information:**

CB Quest Diagnostics-Wood Dale, 1355 Mittel Blvd Wood Dale, IL 60191-1024, Anthony V Thomas, M.D.

**Abnormal Flags:**

L Below low normal

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIG

**FILED - LN**

January 19, 2024 4:49 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: jjg / \_\_\_\_\_ SCANNED BY: NY 1/19/24

**JEFFREY RYAN FENTON,**

PLAINTIFF

v.

**VIRGINIA LEE STORY ET AL.,**

DEFENDANTS

**CASE NO. 1:23-cv-1097**

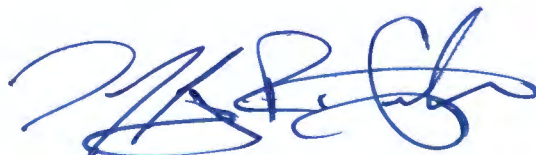
**TENNESSEE COURT MOTIONS IN CHRONOLOGICAL ORDER**

Plaintiff brings this testimony pursuant to 28 U.S. Code § 1746.

I, Jeffrey Ryan Fenton, testify as follows:

1. This federal lawsuit (Case No. 1:23-cv-1097) seeks a cure for two fraudulent predatory actions in Middle Tennessee during 2019 (four substantially fraudulent and vexatious legal attacks intertwined), allegedly on behalf of my wife (at that time), "Fawn Tiffany Fenton". (Hereinafter "Ms. Fenton", "wife", or "ex-wife".)

2. The genesis of this complaint came colored as a domestic divorce action (with no children), executed in the Williamson County Chancery Court in the State of Tennessee. Bundled along with a completely unnecessary, strategically engineered, precisely timed, fraudulent federal bankruptcy filing, by my ex-wife, to cheat me out of my property interests, while alleviating my former ex-wife from paying the significant "transitional alimony" as we had repeatedly agreed upon.



**1**



**RETIREMENT/PROPERTY INVESTMENT VALUE APPRECIATION AS OF 5/31/2023**

**Will Easily Reach \$1,000,000 VALUE within the Next Decade as Planned, while without Interference**

**It would have been completely PAID-OFF within that period, with less WORK than I'm doing NOW!**

**CAPITAL GAINS TAX does NOT apply for a PRIMARY RESIDENCE, this would have been TAX FREE!**

1986 Sunny Side Dr, Brentwood, TN 37027

# STATEMENT OF CLAIM

4 bd 3 ba 2,640 sqft

1986 Sunny Side Dr, Brentwood, TN 37027

● **Off market** Zestimate®: **\$884,500** Rent Zestimate®: **\$3,999**

Est. refi payment: \$5,237/mo **S Refinance your loan**

Home value Owner tools Home details Neighborhood details

## Home value

Zestimate

**\$884,500**

Zestimate range  
**\$814,000 - \$973,000**

Last 30-day change  
**+\$16,116 (+1.9%)**

Zestimate per sqft  
**\$335**

Zestimate history & details

6:49 AM 5/31/2023

Now with a Court Judgment, the recovery will be subject to an estimated 37% Tax Rate, placing this at roughly a 1.5 Million Dollar Lifetime Property Loss & Claim. In addition to damages, incidental, consequential, compensatory, loss of consortium, liquidated, loss of use, loss of enjoyment, loss of life, liberty, property & the pursuit of happiness. Plus legal fees, pain & suffering (compounding daily), litigious TORTURE of an ADA Party, since 9/3/2019, until a cure is obtained.





**From:** Kim Hollingshead [Kim@TouchstoneTitleTN.com]  
**Sent:** Wednesday, September 24, 2014 3:42 PM  
**To:** Jeff Fenton  
**Cc:** Fawn Fenton  
**Subject:** RE: Fenton Purchase | 1986 Sunnyside Drive, Brentwood | Tenancy by the Entirety?

And wife

---

**From:** Jeff Fenton  
**Sent:** Wednesday, September 24, 2014 3:41 PM  
**To:** Kim Hollingshead  
**Cc:** Fawn Fenton  
**Subject:** RE: Fenton Purchase | 1986 Sunnyside Drive, Brentwood | Tenancy by the Entirety?

Thanks for the lightening fast response with the Deed Kim!

Can you please explain to me how "Tenancy by the Entirety" is specified/differentiated on this document?

Thanks again!

**Jeff Fenton**

**Meticulous Marketing LLC**

(615) 837-1300 Office

(615) 837-1301 Mobile

(615) 837-1302 Fax

**When it's worth doing RIGHT the first time!**

Submit or respond to a support ticket [here](#).

---

**From:** Kim Hollingshead [mailto:Kim@TouchstoneTitleTN.com]  
**Sent:** Wednesday, September 24, 2014 3:31 PM  
**To:** Jeff Fenton  
**Cc:** Fawn Fenton  
**Subject:** RE: Fenton Purchase | 1986 Sunnyside Drive, Brentwood | Tenancy by the Entirety?

Jeff, please see attached. Title is currently vested as Tenancy by the Entirety.

*Kimberly H. Hollingshead, Esq.*

President

Touchstone Title & Escrow, LLC

318 Seaboard Lane, Suite 114

Franklin, TN 37067



Email: [Kim@TouchstoneTitleTN.com](mailto:Kim@TouchstoneTitleTN.com)

Website: [www.TouchstoneTitleTN.com](http://www.TouchstoneTitleTN.com)

\*\*\*\*\*

*Our number one goal is to ensure that you are satisfied with our services. If you have any questions or concerns on this closing, or have suggestions on how we can make your next interaction with us even better, please e-mail me.*

**NOTICE: YOU ARE NOT AUTHORIZED TO FORWARD THIS EMAIL TO ANYONE.** This e-mail message and all attachments transmitted with it may contain legally privileged and confidential information intended solely for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination, distribution, copying, or other use of this message or its attachments is strictly prohibited. It is not our intention to waive the attorney-client privilege, the attorney work-product doctrine, or any proprietary rights in the information contained on the following pages. If you have received this message in error, please notify the sender immediately by telephone (615-371-2299) or by electronic mail ([kim@touchstonetitletn.com](mailto:kim@touchstonetitletn.com)), and delete this message and all copies and backups thereof. Thank you.

---

**From:** Jeff Fenton  
**Sent:** Wednesday, September 24, 2014 3:24 PM  
**To:** Kim Hollingshead  
**Cc:** Fawn Fenton  
**Subject:** RE: Fenton Purchase | 1986 Sunnyside Drive, Brentwood | Tenancy by the Entirety?  
**Importance:** High

Hello Kim!

It has been a while!

It has been recommended to Fawn and I, for liability purposes, that we hold title to our home as **“Tenancy by the Entirety”**.

I know very little about this, but here is an explanation that I found online:

**Tenancy by the Entirety:** a special form of joint tenancy when the joint tenants are husband and wife – with each owning one-half. Neither spouse can sell the property without the consent of the other. Words in the deed such as “Bill and Mary, husband and wife as tenancy in the entirety” establish title in tenancy by the entireties. This form of ownership is not available in all states. ([http://jtlehmanlaw.com/lawyer/Nashville-TN\\_fq314.htm](http://jtlehmanlaw.com/lawyer/Nashville-TN_fq314.htm))

Can you please tell me how our title is held currently at 1986 Sunnyside Drive, Brentwood, 37027? (You facilitated our closing.) I have a copy of our Deed of Trust (attached), but I can’t figure out if this is titled as “Tenants in Common”, “Joint Tenancy”, or “Tenancy by the Entirety”.

Is there a document that you can provide me which shows exactly how our property is titled?

Thanks for your help with this!

**Jeff Fenton**  
Meticulous Marketing LLC  
(615) 837-1300 Office  
(615) 837-1301 Mobile  
(615) 837-1302 Fax

**When it's worth doing RIGHT the first time!**

### 31.1 TENANCY BY THE ENTIRETY

When real property is acquired by individuals who are husband and wife at the time of the conveyance, then title is jointly held as an indivisible whole with right of survivorship unless the granting instrument expressly states that title is not to be held as a Tenancy by the Entirety. Upon divorce, a Tenancy by the Entirety is destroyed and absent some decree by the Divorce Court, the interest of the former spouses is converted into a Tenancy in Common with each owning a one-half interest.

### 31.2 TENANTS IN COMMON

When real property is acquired by two or more individuals who are not married at the time of the conveyance, or a Tenancy by the Entirety is destroyed through a divorce, title is held as Tenants in Common. In cases where the property is owned by Tenants in Common, each owner has a certain defined share in the property. Unless the instrument states otherwise, when there are two owners, each will automatically be presumed to own one-half each; if three, a third each, and so on. However, the shares between Tenants in Common do not need to be equal. The parties can decide what share of the property belongs to each owner. For example, if two individuals named Sam and Mark buy a property together, but if Sam contributes more to the purchase price than Mark, this could be reflected in the respective shares each acquires in the property. The deed into these individuals could state that Sam receives 70% interest in the property and Mark is entitled to 30%. The important point is that each of the Tenants in Common owners always owns his or her share of the property, and is only entitled to that same percentage of the sale proceeds. For example, if Sam dies, then his share of the property will be administrated as part of Sam's estate. Mark will continue to own his 30% after Sam's death. Unlike in a Joint Tenancy with a Right of Survivorship, it does not automatically pass to Mark.

When property is held as Tenants in Common, each of the individuals have a right to enter the common estate and take possession of the whole, subject to the equal right of the co-tenants to share in possession of the whole; and one co tenant's occupation or possession of the property can never be deemed adverse to the other co-tenants.



	STATE OF TENNESSEE COUNTY OF WILLIAMSON THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS <b>\$350,000.00</b>
	Affiant 
	Subscribed and sworn to before me, this 29th day of April, 2011. Notary Public 
	MY COMMISSION EXPIRES: (AFFIX SEAL)

THIS INSTRUMENT WAS PREPARED BY:  
 Southland Title & Escrow Co., Inc.  
 7101 Executive Center Drive, Suite 151  
 Brentwood, TN 37027

ADDRESS NEW OWNERS AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Fawn ■ Fenton	Renasant Bank	013 J-A
(NAME)	(NAME)	(MAP)
1986 Sunnyside Drive	2001 Park Place North, Suite 650	035.00
(ADDRESS)	(ADDRESS)	(PARCEL)
Brentwood, TN 37027	Birmingham, AL 35203	
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

For and in consideration of the sum of TEN DOLLARS, cash in hand, paid by the hereinafter named Grantee(s), and other good and valuable consideration, the receipt of which is hereby acknowledged, I/we, **Mangel Jerome Terrell and wife, Colette Keyser**, hereinafter called the Grantor(s), have bargained and sold, and by these presents do hereby transfer and convey unto **Jeffrey R. Fenton and wife, Fawn ■ Fenton**, hereinafter called Grantee(s), their heirs and assigns, that certain tract or parcel of land in Williamson County, TENNESSEE, described as follows, to-wit:

LAND in Williamson County, TN, BEING Lot No. 29, on the Plan of Section 3, Sunny Side Estates, of record in Plat Book 5, page 67 as amended in Book 330, page 844, Register's Office for Williamson County, TN, to which plan reference is hereby made for a complete description thereof.

Being the same property conveyed to Jerome Terrell and spouse, Collette Keyser, by deed dated July 8, 2005, from Melner R. Bond III and spouse, Kimala K. Bond, of record in Book 3615, page 152, and further conveyed to Mangel Jerome Terrell and wife, Colette Keyser, by Quitclaim Deed dated February 20, 2009, from Jerome Terrell and wife, Colette Keyser, of record in Book 4743, page 715, Register's Office for Williamson County, TN.

This conveyance is subject to the taxes for the current year and subsequent years; any and all easements and/or restrictions of record; and all matters shown on the plan of record; all in the said Register's Office.

This is ( ) unimproved (X) improved property, know as: 1986 Sunnyside Drive, Brentwood, Tennessee 37027

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my/our hand(s) this 29th day of April, 2011.

Mangel Jerome Terrell

Colette Keyser



**STATE OF TENNESSEE  
COUNTY OF WILLIAMSON**

Before me, the undersigned authority, a Notary Public within and for the State and County, appeared Mangel Jerome Terrell; Colette Keyser with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who upon their oath(s) acknowledged themselves to be the within named bargainer(s), and that they executed the foregoing instrument of their own free will for the purposes therein set forth.

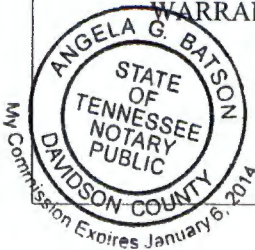
Witness my hand and official seal at office at Brentwood, Tennessee, on this the 29th day of April, 2011.

  
Notary Public

My Commission Expires: 9/3/2012



This document was e-recorded in Book 5313,  
Page 452, Williamson Co. ROD on 5/12/11.

 <p>WARRANTY DEED</p>	STATE OF TENNESSEE COUNTY OF WILLIAMSON THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS <u>\$350,000.00</u>
	<p style="text-align: center;"><i>Attest</i> Affiant</p> <p>Subscribed and sworn to before me, this 29th day of April, 2011.</p> <p style="text-align: center;"><i>Angela G. Batson</i> Notary Public</p> <p>MY COMMISSION EXPIRES: (AFFIX SEAL)</p>

THIS INSTRUMENT WAS PREPARED BY:  
 Southland Title & Escrow Co., Inc.  
 7101 Executive Center Drive, Suite 151  
 Brentwood, TN 37027

ADDRESS NEW OWNERS AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Fawn ■ Fenton	Renasant Bank	013 J-A
(NAME)	(NAME)	(MAP)
1986 Sunnyside Drive	2001 Park Place North, Suite 650	035.00
(ADDRESS)	(ADDRESS)	(PARCEL)
Brentwood, TN 37027	Birmingham, AL 35203	
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

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TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my/our hand(s) this 29th day of April, 2011.

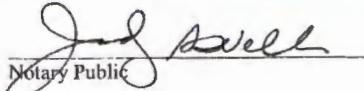
*Mangel Jerome Terrell*  
 Mangel Jerome Terrell

*Colette Keyser*  
 Colette Keyser

STATE OF TENNESSEE  
COUNTY OF WILLIAMSON

Before me, the undersigned authority, a Notary Public within and for the State and County, appeared Mangel Jerome Terrell; Colette Keyser with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who upon their oath(s) acknowledged themselves to be the within named bargainer(s), and that they executed the foregoing instrument of their own free will for the purposes therein set forth.

Witness my hand and official seal at office at Brentwood, Tennessee, on this the 29th day of April, 2011.

  
Notary Public

My Commission Expires: 9/3/2012





Book 5313 Page 454

BK/PG: 5313/452-454  
11015616

Certificate of Authenticity

3 PGS : DEED	
KAREN OWENS	214724 - 11015616
03/12/2011 - 02:16 PM	
VALUE	350000.00
MORTGAGE TAX	0.00
TRANSFER TAX	1295.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	1313.00
STATE OF TENNESSEE, WILLIAMSBORO COUNTY	
SADIE WADE	
REGISTER OF DEEDS	

I, Kimberly Hollingshead, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

[Signature]

Signature

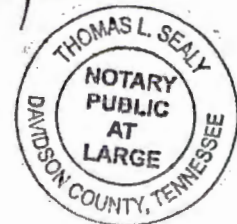
State of Tennessee  
County of Williamson

Personally appeared before me, The Undersigned a notary public for this county and state, Kim Hollingshead who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

[Signature]

Notary's Signature

My Commission Expires: 1/9/12





**Williamson County**  
**Property Tax Notice**  
 Karen Paris . Williamson County Trustee  
 1320 W Main St. Franklin TN 37064  
 615-790-5709

2019

DIST	MAP	GP	C-MAP	PARCEL	SP-INT	CO	CI
07	013J	A	013J	03500	000	094	000

Tax Receipt #	Total Due
0028996	\$0.00
Taxes are due by 02/28/2020	
Property Address	
Sunnyside Dr 1986	

OR CURRENT RESIDENT

INDICATE ADDRESS CHANGE ON REVERSE SIDE

Fenton Jeffrey R Fenton Fawn  
 1986 Sunnyside Dr

**Karen Paris, TRUSTEE**  
 1320 W Main St. Suite 203  
 FRANKLIN TN 37064

Brentwood, TN 370270000

**Williamson County Property Tax Notice**

Karen Paris Williamson County Trustee 1320 W Main St. Suite. Franklin TN 37064 615-790-5709

2019

DIST	MAP	GP	C-MAP	PARCEL	SP-INT	CO	CI
07	013J	A	013J	03500	000	094	000

*Please return the top portion with your payment in the enclosed reply envelope.*

To pay your property taxes make checks payable to :  
**WILLIAMSON COUNTY TRUSTEE**  
 (Your cancelled check serves as your receipt)

**Your payment options are:**

- At our office: 1320 W. Main St. Suite 203; Franklin, TN
- At participating local banks
- On-line with credit card or electronic check\* at our website  
[www.WilliamsonPropertyTax.com](http://www.WilliamsonPropertyTax.com)

**\*The vendor charges the following processing fees: \$2.00 per transaction for e-check payments, and a 2.5% plus \$0.30 per transaction for credit/debit card payments.**

Scan to pay!



**To avoid interest, taxes must be paid by February 28, 2020.**

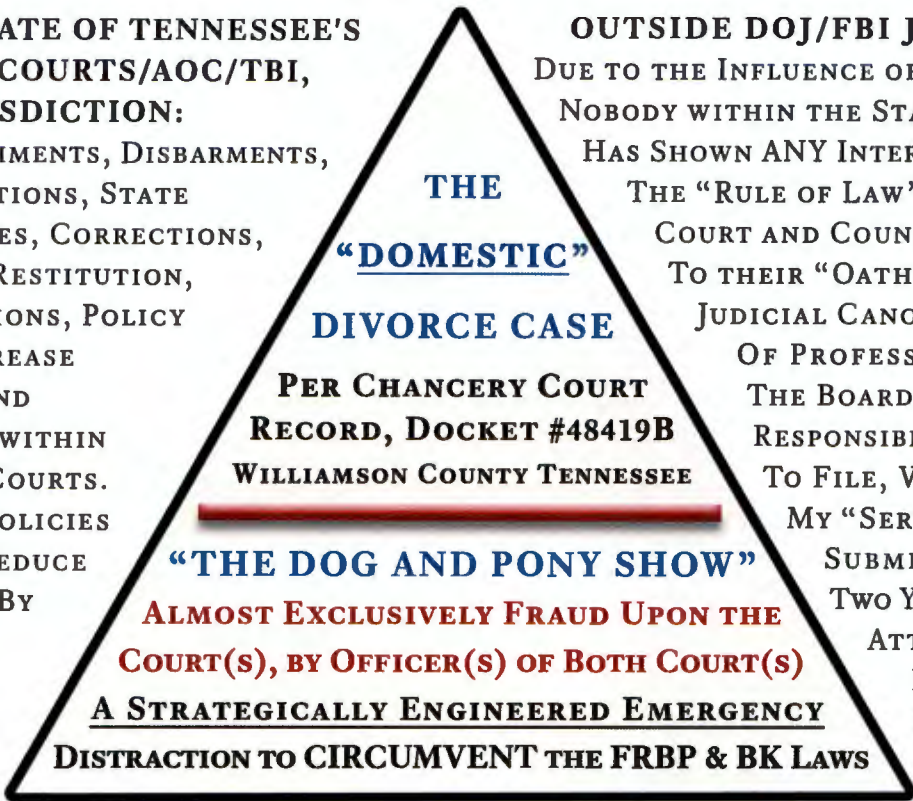
**Beginning March 1, 2020 interest will be added to delinquent taxes at the rate of 1.5% per month.**

Williamson County Trustee 1320 W Main St Suite 203 Franklin, TN 37064 (615) 790-5709	Office Hours: Monday thru Friday 8:00 am- 4:30 pm
---	---

Tax Receipt #	Total Due	
0028996	\$0.00	
Property Address		
Sunnyside Dr 1986		
Classification		
Real Property		
Subdivision		
Sunnyside Est Sec 3		
Lot	Acres	EQ Factor
0029	0.00	0.0000
Additional Description		
Appraised value	\$386,900	
Assessment	25%	
Assessed value	\$96,725	
Interest	\$0.00	
County taxes	\$2,147.00	
9th FSSD taxes	\$0.00	
City taxes	\$0.00	
Total due	\$0.00	



**INSIDE THE STATE OF TENNESSEE'S LEGISLATURE/COURTS/AOC/TBI, BJC & BPR JURISDICTION:**  
 ARRESTS, IMPEACHMENTS, DISBARMENTS, DISCIPLINARY ACTIONS, STATE CRIMINAL CHARGES, CORRECTIONS, EXPUNGEMENTS, RESTITUTION, DAMAGES, SANCTIONS, POLICY CHANGES TO INCREASE TRANSPARENCY AND ACCOUNTABILITY WITHIN ALL TENNESSEE COURTS. MORE UNIFORM POLICIES STATE-WIDE TO REDUCE DISCRIMINATION BY LOCAL RULES.  
**MANDATORY DISCLOSURES & RECUSALS OF HEARING CASES BY "FRIENDS".**



**OUTSIDE DOJ/FBI JURISDICTION:**  
 DUE TO THE INFLUENCE OF THE "PLAYERS", NOBODY WITHIN THE STATE OF TENNESSEE HAS SHOWN ANY INTEREST IN ENFORCING THE "RULE OF LAW" OR HOLDING THE COURT AND COUNSEL ACCOUNTABLE TO THEIR "OATHS OF OFFICE", THE JUDICIAL CANONS, OR THE RULES OF PROFESSIONAL CONDUCT. THE BOARD OF PROFESSIONAL RESPONSIBILITY HAS REFUSED TO FILE, VET AND ACT UPON MY "SERIOUS COMPLAINT" SUBMITTED WELL OVER TWO YEARS-AGO; AGAINST ATTORNEYS VIRGINIA LEE STORY, MARY BETH AUSBROOKS, ELAINE BEELER, AND "FRIENDS".

**INSIDE DOJ/FBI JURISDICTION**  
**BANKRUPTCY CASE 3:19-BK-02693**  
 FRBP 7001 ADVERSARY PROCEEDINGS  
 FRBP 9011 ATTORNEY CERTIFICATION  
 28 USC §§ 1927, 1334, 1335 — JURISDICTION  
 11 USC §§ 363(b)(1), (e) NOTICE & HEARING  
 11 USC § 363(h) SELL IF BENEFIT TO ESTATE  
 11 USC §§ 541, 542, 543 Estate Property/Turnover  
 18 USC § 241 CONSPIRACY AGAINST RIGHTS  
 18 USC § 242 DEPRIVATION (COLOR OF LAW)  
 18 USC §§ 157, 1341 BK FRAUD(S) & SWINDLES  
**18 USC § 1503 OBSTRUCTION OF JUSTICE**  
 18 USC § 1519 FALSIFYING BK RECORDS  
 18 USC § 1951 HOBBS' ACT EXTORTION  
 18 USC § 1957 UNLAWFUL PROPERTY TRANS.

**IN DOJ/FBI/TBI JURISDICTION**  
**CONSTITUTIONAL, STATE, AND — FEDERAL CRIMES — COMMITTED BY BOTH COURTS AND COUNSEL COLLUSIVELY:**  
 CONSPIRACY AGAINST RIGHTS, DEPRIVATION OF PROPERTY AND LIBERTY UNDER COLOR OF LAW, WITHOUT NOTICE/EQUAL OR DUE PROCESS. MALICIOUS LITIGATION, ABUSE, CRUELTY, FAILURE TO INTERVENE, NEGLECT TO PREVENT, CIVIL RIGHTS INTIMIDATION, COERCION, THEFT, EXTORTION, UNDER COLOR OF OFFICIAL RIGHT, ADA COERCION THREATS, INTERFERENCE, RETALIATION.

**SYNOPSIS:** Family Court Attorney, Virginia Lee Story (in Williamson County Chancery Court) Conspired with Bankruptcy Specialist, Attorney Mary Elizabeth Maney Ausbrooks (in U.S. Bankruptcy Court for the Middle District of Tennessee), well over a Month in Advance of my Ex-wife's **secret** Divorce Filing & Ambush. The Crux of this Conspiracy Conducted by Counsel, with the Fraudulent Assistance by BOTH Courts, was to CIRCUMVENT the "Federal Rules of Bankruptcy Procedure" (FRBP) and a Multitude of Federal Bankruptcy Laws, so they could Illegally FORCE the Deprivation of Multiple Property Interests (purchased/owned/held) by MYSELF in 1986 Sunnyside Drive, Brentwood, TN 37027; as well as by my two Roommates/Tenants State & Federally Protected "Leasehold Property Interests". Each of which Required an "Adversarial Proceeding", including **NOTICES & HEARINGS** in **Federal District Court**, or **Federal Bankruptcy Court**. Under the circumstances, the State Courts were specifically FORBIDDEN from Exercising Jurisdiction. The BK Trustee was REQUIRED to REMOVE the PROPERTY from my Ex-wife's **secret** "BANKRUPTCY ESTATE", as a "BURDENSOME ASSET", long before I met Judge Michael W. Binkley.



**2**

Fill in this information to identify your case and this filing:

Debtor 1 **Fawn** **Fenton**  
First Name Middle Name Last Name

Debtor 2  
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number \_\_\_\_\_

Check if this is an amended filing

Official Form 106A/B  
**Schedule A/B: Property**

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

**Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In**

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- No. Go to Part 2.
- Yes. Where is the property?

1.1 **1986 Sunny Side Drive**  
Street address, if available, or other description

**Brentwood** **TN** **37027-0000**  
City State ZIP Code

**Williamson**  
County

What is the property? Check all that apply

- Single-family home
- Duplex or multi-unit building
- Condominium or cooperative
- Manufactured or mobile home
- Land
- Investment property
- Timeshare
- Other \_\_\_\_\_

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
<b>\$425,000.00</b>	<b>\$425,000.00</b>

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

**Tenants by the Entireties**

**WE OWNED OUR PROPERTY as ONE INDIVIDUAL (MARRIED ENTITY)!**

Check if this is community property (see instructions)

Who has an interest in the property? Check one

- Debtor 1 only
- Debtor 2 only
- Debtor 1 and Debtor 2 only
- At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number:

**Separated Spouse is on Deed only**

**FALSE!!!**

This is the only page I've seen that is MOSTLY correct, except for this "Fraud On the Court, by Officer(s) of the Court" claim that I had NO financial investment or interest in our Marital Residence, when I contributed far more to it, at purchase and through improvements, than Ms. Fenton ever did! That is Bankruptcy FRAUD by Attorney Ausbrooks!

**\$425,000.00**

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=>

**Part 2: Describe Your Vehicles**

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

**Fill in this information to identify your case:**

Debtor 1 **Fawn [REDACTED] Fenton**  
First Name Middle Name Last Name

Debtor 2  
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: **MIDDLE DISTRICT OF TENNESSEE**

Case number  
(if known)

Check if this is an amended filing

Official Form 106C

**Schedule C: The Property You Claim as Exempt**

4/19

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

**Part 1: Identify the Property You Claim as Exempt**

1. Which set of exemptions are you claiming? Check one only, even if your spouse is filing with you.

- You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
- You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own <small>Copy the value from <i>Schedule A/B</i></small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
2017 Toyota Prius 23,000 miles VIN: [REDACTED] Line from <i>Schedule A/B</i> : 3.1	\$16,375.00	<input checked="" type="checkbox"/> \$3,775.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-103
AR15, FN-FAL, Glock 23, Rugger SP101 Line from <i>Schedule A/B</i> : 10.1	\$2,700.00	<input checked="" type="checkbox"/> \$2,700.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-103
Clothing/Shoes/Purse Line from <i>Schedule A/B</i> : 11.1	\$500.00	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-104
Cash Line from <i>Schedule A/B</i> : 16.1	\$50.00	<input checked="" type="checkbox"/> \$50.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-103
Checking: First Farmers & Merchants Line from <i>Schedule A/B</i> : 17.1	\$2,000.00	<input checked="" type="checkbox"/> \$2,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-103



Debtor 1 <b>Fawn ██████ Fenton</b>		Case number (if known)	
Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own <small>Copy the value from Schedule A/B</small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
<b>Savings: First Farmers &amp; Merchants</b> Line from Schedule A/B: 17.3	<b>\$800.00</b>	<input checked="" type="checkbox"/> <b>\$800.00</b>  <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<b>Tenn. Code Ann. § 26-2-103</b>
<b>Savings: Ascend Federal CU</b> Line from Schedule A/B: 17.4	<b>\$150.00</b>	<input checked="" type="checkbox"/> <b>\$150.00</b>  <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<b>Tenn. Code Ann. § 26-2-103</b>
<b>Federal: 2017 Tax Refund</b> Line from Schedule A/B: 28.1	<b>\$1,533.50</b>	<input checked="" type="checkbox"/> <b>\$525.00</b>  <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<b>Tenn. Code Ann. § 26-2-103</b>

3. **Are you claiming a homestead exemption of more than \$170,350?**  
(Subject to adjustment on 4/01/22 and every 3 years after that for cases filed on or after the date of adjustment.)
- No
- Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
- No
- Yes

Fill in this information to identify your case:

Debtor 1 **Fawn [REDACTED] Fenton**  
 First Name Middle Name Last Name

Debtor 2  
 (Spouse if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

Official Form 106D

**Schedule D: Creditors Who Have Claims Secured by Property**

12/19

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

- No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.
- Yes. Fill in all of the information below.

**Part 1: List All Secured Claims**

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

2.1 **BanCorp South**  
 Creditor's Name

**Attn: Officer Manager or Agent**  
**914 Murfreesboro Road**  
**Franklin, TN 37067**

Number, Street, City, State & Zip Code

**Describe the property that secures the claim:**

**1986 Sunny Side Drive Brentwood, TN 37027 Williamson County Separated Spouse is on Deed only**

As of the date you file, the claim is: Check all that apply.

- Contingent
- Unliquidated
- Disputed

Nature of lien. Check all that apply.

- An agreement you made (such as mortgage or secured car loan)
- Statutory lien (such as tax lien, mechanic's lien)
- Judgment lien from a lawsuit
- Other (including a right to offset) **Home Equity L**

Column A

Amount of claim  
Do not deduct the value of collateral.

**\$53,967.42**

Column B

Value of collateral that supports this claim

**\$425,000.00**

Column C

Unsecured portion if any

**\$0.00**

Who owes the debt? Check one.

- Debtor 1 only
- Debtor 2 only
- Debtor 1 and Debtor 2 only
- At least one of the debtors and another
- Check if this claim relates to a community debt

Date debt was incurred \_\_\_\_\_

Last 4 digits of account number \_\_\_\_\_

Attorney Ausbrooks failed to list me here as having any FINANCIAL investment and interest in OUR EQUALLY Deeded Marital Property. Although the loans were in Ms. Fenton's name, since our previous residence was still financed in my name (making the income to debt ratios easier, to qualify for more favorable interest rates), every dollar, asset, and debt we had, while we were married, we owned a joint and equal interest in! There was NO differentiation between his/hers money, property, or debt obligations. While I was also required to sign as a BORROWER at closing for both of these loans/mortgages, to subject my interest in the property to the repayment of these notes. This is clearly "Fraud On the Court by Officer(s) of the Court!" by Ausbrooks.

2.2 **Bank of America, NA**  
 Creditor's Name

**Attn: Officer Manager or Agent**  
**4909 Savarese Circle**  
**Tampa, FL 33634**

Number, Street, City, State & Zip Code

**Describe the property that secures the claim:**

**1986 Sunny Side Drive Brentwood, TN 37027 Williamson County Separated Spouse is on Deed only**

As of the date you file, the claim is: Check all that apply.

- Contingent
- Unliquidated
- Disputed

Nature of lien. Check all that apply.

- An agreement you made (such as mortgage or secured car loan)
- Statutory lien (such as tax lien, mechanic's lien)
- Judgment lien from a lawsuit
- Other (including a right to offset) **First Mortgage**

**\$240,182.77**

**\$425,000.00**

**\$0.00**

Who owes the debt? Check one.

- Debtor 1 only
- Debtor 2 only
- Debtor 1 and Debtor 2 only
- At least one of the debtors and another
- Check if this claim relates to a community debt

Date debt was incurred \_\_\_\_\_

Last 4 digits of account number \_\_\_\_\_

Furthermore, Ms. Ausbrooks "erroneously" lists the information about me existing, in the PROPERTY ADDRESS BOX, while failing to check the boxes to indicate that I have any financial responsibility for these loans, that I have any financial investment or interest in this property, or that my financial interest is subject to these mortgages and notes being paid as promised. While I was provided absolutely NO NOTICE that my ex-wife was secretly filing for bankruptcy, or that she had specifically REQUESTED to unnecessarily forfeit OUR Marital Residence, and that the whole of ALL my investments in life, were being defaulted on and about to be LOST!

Debtor 1 **Fawn** **Fenton** Case number (if known) \_\_\_\_\_  
First Name Middle Name Last Name

**2.3 Toyota Motor Credit Co.** Describe the property that secures the claim: **\$12,600.00** **\$16,375.00** **\$0.00**

Creditor's Name  
**Attn Officer Manager or Agent**  
**5005 N River Blvd. NE**  
**Cedar Rapids, IA**  
**52411-6634**  
Number, Street, City, State & Zip Code

**2017 Toyota Prius 23,000 miles**  
**VIN: [REDACTED]**

As of the date you file, the claim is: Check all that apply.

Contingent

Unliquidated

Disputed

Nature of lien. Check all that apply.

An agreement you made (such as mortgage or secured car loan)

Statutory lien (such as tax lien, mechanic's lien)

Judgment lien from a lawsuit

Other (including a right to offset) **PMSI**

Who owes the debt? Check one.

Debtor 1 only

Debtor 2 only

Debtor 1 and Debtor 2 only

At least one of the debtors and another

Check if this claim relates to a community debt

Date debt was incurred **09/15/2016**

Last 4 digits of account number \_\_\_\_\_

Add the dollar value of your entries in Column A on this page. Write that number here:

**\$306,750.19**

If this is the last page of your form, add the dollar value totals from all pages.

**\$306,750.19**

Write that number here:

**Part 2: List Others to Be Notified for a Debt That You Already Listed**

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.



**Fill in this information to identify your case:**

Debtor 1 **Fawn [REDACTED] Fenton**  
First Name Middle Name Last Name

Debtor 2  
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: **MIDDLE DISTRICT OF TENNESSEE**

Case number  
(if known)

Check if this is an amended filing

**Official Form 106E/F  
 Schedule E/F: Creditors Who Have Unsecured Claims**

**12/15**

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY claims and Part 2 for creditors with NONPRIORITY claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on Schedule A/B: Property (Official Form 106A/B) and on Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G). Do not include any creditors with partially secured claims that are listed in Schedule D: Creditors Who Have Claims Secured by Property. If more space is needed, copy the Part you need, fill it out, number the entries in the boxes on the left. Attach the Continuation Page to this page. If you have no information to report in a Part, do not file that Part. On the top of any additional pages, write your name and case number (if known).

**Part 1: List All of Your PRIORITY Unsecured Claims**

- Do any creditors have priority unsecured claims against you?  
 No. Go to Part 2.  
 Yes.
- List all of your priority unsecured claims. If a creditor has more than one priority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. If a claim has both priority and nonpriority amounts, list that claim here and show both priority and nonpriority amounts. As much as possible, list the claims in alphabetical order according to the creditor's name. If you have more than two priority unsecured claims, fill out the Continuation Page of Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3.

(For an explanation of each type of claim, see the instructions for this form in the instruction booklet.)

		Total claim	Priority amount	Nonpriority amount	
2.1	<b>IRS Insolvency</b> Priority Creditor's Name <b>Attn: Officer Manager or Agent</b> <b>PO Box 7346</b> <b>Philadelphia, PA 19101-7346</b> Number Street City State Zip Code  Who incurred the debt? Check one. <input checked="" type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim is for a community debt Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Last 4 digits of account number _____  When was the debt incurred? _____  As of the date you file, the claim is: Check all that apply <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Type of PRIORITY unsecured claim: <input type="checkbox"/> Domestic support obligations <input checked="" type="checkbox"/> Taxes and certain other debts you owe the government <input type="checkbox"/> Claims for death or personal injury while you were intoxicated <input type="checkbox"/> Other. Specify _____	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**Notice**

**Part 2: List All of Your NONPRIORITY Unsecured Claims**

- Do any creditors have nonpriority unsecured claims against you?  
 No. You have nothing to report in this part. Submit this form to the court with your other schedules.  
 Yes.
- List all of your nonpriority unsecured claims in the alphabetical order of the creditor who holds each claim. If a creditor has more than one nonpriority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. Do not list claims already included in Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3. If you have more than three nonpriority unsecured claims fill out the Continuation Page of Part 2.

**Total claim**

Debtor 1 **Fawn ██████ Fenton**

Case number (if known) \_\_\_\_\_

4.1

**American Express**

Nonpriority Creditor's Name  
**Attn: Officer Manager or Agent**  
**PO Box 981537**  
**El Paso, TX 79998**

Number Street City State Zip Code

Who incurred the debt? Check one.

- Debtor 1 only
- Debtor 2 only
- Debtor 1 and Debtor 2 only
- At least one of the debtors and another
- Check if this claim is for a community debt

Is the claim subject to offset?

- No
- Yes

Last 4 digits of account number \_\_\_\_\_

**\$9,518.02**

When was the debt incurred? \_\_\_\_\_

As of the date you file, the claim is: Check all that apply

- Contingent
- Unliquidated
- Disputed

Type of NONPRIORITY unsecured claim:

- Student loans
- Obligations arising out of a separation agreement or divorce that you did not report as priority claims
- Debts to pension or profit-sharing plans, and other similar debts

Other. Specify **Credit Card**

4.2

**Ascend Federal Credit Union**

Nonpriority Creditor's Name  
**Attn: Officer Manager or Agent**  
**PO Box 1210**  
**Tullahoma, TN 37388**

Number Street City State Zip Code

Who incurred the debt? Check one.

- Debtor 1 only
- Debtor 2 only
- Debtor 1 and Debtor 2 only
- At least one of the debtors and another
- Check if this claim is for a community debt

Is the claim subject to offset?

- No
- Yes

Last 4 digits of account number \_\_\_\_\_

**\$17,811.23**

When was the debt incurred? \_\_\_\_\_

As of the date you file, the claim is: Check all that apply

- Contingent
- Unliquidated
- Disputed

Type of NONPRIORITY unsecured claim:

- Student loans
- Obligations arising out of a separation agreement or divorce that you did not report as priority claims
- Debts to pension or profit-sharing plans, and other similar debts

Other. Specify **Credit Card**

4.3

**Bank of America**

Nonpriority Creditor's Name  
**Attn: Officer Manager or Agent**  
**PO Box 982238**  
**El Paso, TX 79998**

Number Street City State Zip Code

Who incurred the debt? Check one.

- Debtor 1 only
- Debtor 2 only
- Debtor 1 and Debtor 2 only
- At least one of the debtors and another
- Check if this claim is for a community debt

Is the claim subject to offset?

- No
- Yes

Last 4 digits of account number \_\_\_\_\_

**\$11,793.22**

When was the debt incurred? \_\_\_\_\_

As of the date you file, the claim is: Check all that apply

- Contingent
- Unliquidated
- Disputed

Type of NONPRIORITY unsecured claim:

- Student loans
- Obligations arising out of a separation agreement or divorce that you did not report as priority claims
- Debts to pension or profit-sharing plans, and other similar debts

Other. Specify **Credit Card**



Debtor 1 **Fawn** ██████████ **Fenton**

Case number (if known) \_\_\_\_\_

4.4	<b>Capital One Bank USA NA</b> Nonpriority Creditor's Name <b>Attn: Officer Manager or Agent</b> <b>PO Box 30281</b> <b>Salt Lake City, UT 84130-0281</b> Number Street City State Zip Code Who incurred the debt? Check one. <input checked="" type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim is for a community debt Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Last 4 digits of account number _____  When was the debt incurred? _____  As of the date you file, the claim is: Check all that apply  <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Type of NONPRIORITY unsecured claim: <input type="checkbox"/> Student loans <input type="checkbox"/> Obligations arising out of a separation agreement or divorce that you did not report as priority claims <input type="checkbox"/> Debts to pension or profit-sharing plans, and other similar debts <input checked="" type="checkbox"/> Other. Specify <b>Flexible Spending Account</b>	<b>\$9,818.83</b>
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4.5	<b>Chase Card</b> Nonpriority Creditor's Name <b>Attn: Officer Manager or Agent</b> <b>PO Box 15298</b> <b>Wilmington, DE 19850</b> Number Street City State Zip Code Who incurred the debt? Check one. <input checked="" type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim is for a community debt Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Last 4 digits of account number _____  When was the debt incurred? _____  As of the date you file, the claim is: Check all that apply  <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Type of NONPRIORITY unsecured claim: <input type="checkbox"/> Student loans <input type="checkbox"/> Obligations arising out of a separation agreement or divorce that you did not report as priority claims <input type="checkbox"/> Debts to pension or profit-sharing plans, and other similar debts <input checked="" type="checkbox"/> Other. Specify <b>Notice</b>	<b>\$0.00</b>
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**Part 3: List Others to Be Notified About a Debt That You Already Listed**

5. Use this page only if you have others to be notified about your bankruptcy, for a debt that you already listed in Parts 1 or 2. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the original creditor in Parts 1 or 2, then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Parts 1 or 2, list the additional creditors here. If you do not have additional persons to be notified for any debts in Parts 1 or 2, do not fill out or submit this page.

Name and Address <b>IRS Insolvency</b> <b>801 Broadway Room 285</b> <b>MDP 146</b> <b>Nashville, TN 37203</b>	On which entry in Part 1 or Part 2 did you list the original creditor? Line <u>2.1</u> of (Check one): <input checked="" type="checkbox"/> Part 1: Creditors with Priority Unsecured Claims <input type="checkbox"/> Part 2: Creditors with Nonpriority Unsecured Claims	Last 4 digits of account number _____
---	---	---------------------------------------

Name and Address <b>US Attorney General</b> <b>US Department of Justice</b> <b>950 Pennsylvania Avenue</b> <b>Washington, DC 20530</b>	On which entry in Part 1 or Part 2 did you list the original creditor? Line <u>2.1</u> of (Check one): <input checked="" type="checkbox"/> Part 1: Creditors with Priority Unsecured Claims <input type="checkbox"/> Part 2: Creditors with Nonpriority Unsecured Claims	Last 4 digits of account number _____
--	---	---------------------------------------

**Part 4: Add the Amounts for Each Type of Unsecured Claim**

6. Total the amounts of certain types of unsecured claims. This information is for statistical reporting purposes only. 28 U.S.C. §159. Add the amounts for each type of unsecured claim.

		Total Claim	
Total	6a. Domestic support obligations	6a. \$	<b>0.00</b>



Debtor 1 **Fawn** [REDACTED] **Fenton**

Case number (if known) \_\_\_\_\_

claims  
from Part 1

- 6b. **Taxes and certain other debts you owe the government**
- 6c. **Claims for death or personal injury while you were intoxicated**
- 6d. **Other.** Add all other priority unsecured claims. Write that amount here.
  
- 6e. **Total Priority.** Add lines 6a through 6d.

6b. \$                     0.00

6c. \$                     0.00

6d. \$                     0.00

6e. \$                     0.00

**Total Claim**

Total  
claims  
from Part 2

- 6f. **Student loans**
  
- 6g. **Obligations arising out of a separation agreement or divorce that you did not report as priority claims**
- 6h. **Debts to pension or profit-sharing plans, and other similar debts**
- 6i. **Other.** Add all other nonpriority unsecured claims. Write that amount here.
  
- 6j. **Total Nonpriority.** Add lines 6f through 6i.

6f. \$                     0.00

6g. \$                     0.00

6h. \$                     0.00

6i. \$                   48,941.30

6j. \$                   48,941.30

**Fill in this information to identify your case:**

Debtor 1 **Fawn [REDACTED] Fenton**  
First Name Middle Name Last Name

Debtor 2  
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: **MIDDLE DISTRICT OF TENNESSEE**

Case number  
(if known)

Check if this is an amended filing

### Official Form 106G

## Schedule G: Executory Contracts and Unexpired Leases

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the additional page, fill it out, number the entries, and attach it to this page. On the top of any additional pages, write your name and case number (if known).

- Do you have any executory contracts or unexpired leases?  
 No. Check this box and file this form with the court with your other schedules. You have nothing else to report on this form.  
 Yes. Fill in all of the information below even if the contacts of leases are listed on *Schedule A/B:Property* (Official Form 106 A/B).
- List separately each person or company with whom you have the contract or lease. Then state what each contract or lease is for (for example, rent, vehicle lease, cell phone). See the instructions for this form in the instruction booklet for more examples of executory contracts and unexpired leases.

Person or company with whom you have the contract or lease  
Name, Number, Street, City, State and ZIP Code

State what the contract or lease is for

2.1 [REDACTED]  
 c/o Brookside Properties, Inc.  
 2002 Richard Jones Road, Suite 200-C  
 Nashville, TN 37215

Assume Residential Lease  
Ends 08/2020

**Fill in this information to identify your case:**

Debtor 1 **Fawn** **Fenton**  
First Name Middle Name Last Name

Debtor 2  
(Spouse if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number  
(if known)

Check if this is an amended filing

**Official Form 106H**  
**Schedule H: Your Codebtors**

12/15

**Codebtors are people or entities who are also liable for any debts you may have. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, and number the entries in the boxes on the left. Attach the Additional Page to this page. On the top of any Additional Pages, write your name and case number (if known). Answer every question.**

**1. Do you have any codebtors?** (If you are filing a joint case, do not list either spouse as a codebtor.)

- No
- Yes

**2. Within the last 8 years, have you lived in a community property state or territory?** (Community property states and territories include Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, and Wisconsin.)

- No. Go to line 3.
- Yes. Did your spouse, former spouse, or legal equivalent live with you at the time?

**3. In Column 1, list all of your codebtors. Do not include your spouse as a codebtor if your spouse is filing with you. List the person shown in line 2 again as a codebtor only if that person is a guarantor or cosigner. Make sure you have listed the creditor on Schedule D (Official Form 106D), Schedule E/F (Official Form 106E/F), or Schedule G (Official Form 106G). Use Schedule D, Schedule E/F, or Schedule G to fill out Column 2.**

**Column 1: Your codebtor**  
 Name, Number, Street, City, State and ZIP Code

**Column 2: The creditor to whom you owe the debt**  
 Check all schedules that apply:

3.1

Name \_\_\_\_\_

Number \_\_\_\_\_ Street \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

- Schedule D, line \_\_\_\_\_
- Schedule E/F, line \_\_\_\_\_
- Schedule G, line \_\_\_\_\_

3.2

Name \_\_\_\_\_

Number \_\_\_\_\_ Street \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

- Schedule D, line \_\_\_\_\_
- Schedule E/F, line \_\_\_\_\_
- Schedule G, line \_\_\_\_\_



Fill in this information to identify your case:

Debtor 1 Fawn ██████ Fenton

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number \_\_\_\_\_  
(If known)

Check if this is:  
 An amended filing  
 A supplement showing postpetition chapter 13 income as of the following date:

MM / DD / YYYY

Official Form 106I

Schedule I: Your Income

12/15

Be as complete and accurate as possible. If two married people are filing together (Debtor 1 and Debtor 2), both are equally responsible for supplying correct information. If you are married and not filing jointly, and your spouse is living with you, include information about your spouse. If you are separated and your spouse is not filing with you, do not include information about your spouse. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Employment

		Debtor 1	Debtor 2 or non-filing spouse
1. Fill in your employment information.	Employment status	<input checked="" type="checkbox"/> Employed <input type="checkbox"/> Not employed	<input type="checkbox"/> Employed <input type="checkbox"/> Not employed
	Occupation	Architect	
If you have more than one job, attach a separate page with information about additional employers.	Employer's name	████████ Associates, Architects, Inc.	
	Employer's address	3322 West End Ave. Suite 103 Nashville, TN 37203	
Include part-time, seasonal, or self-employed work.	How long employed there?	August 2006	
Occupation may include student or homemaker, if it applies.			

Part 2: Give Details About Monthly Income

Estimate monthly income as of the date you file this form. If you have nothing to report for any line, write \$0 in the space. Include your non-filing spouse unless you are separated.

If you or your non-filing spouse have more than one employer, combine the information for all employers for that person on the lines below. If you need more space, attach a separate sheet to this form.

	For Debtor 1	For Debtor 2 or non-filing spouse
2. List monthly gross wages, salary, and commissions (before all payroll deductions). If not paid monthly, calculate what the monthly wage would be.	\$ 7,500.00	\$ N/A
3. Estimate and list monthly overtime pay.	+\$ 0.00	+\$ N/A
4. Calculate gross income. Add line 2 + line 3.	\$ 7,500.00	\$ N/A

Debtor 1 **Fawn** ██████████ **Fenton**

Case number (if known) \_\_\_\_\_

		For Debtor 1		For Debtor 2 or non-filing spouse
Copy line 4 here	4.	\$ 7,500.00		N/A
<b>5. List all payroll deductions:</b>				
5a. Tax, Medicare, and Social Security deductions	5a.	\$ 1,654.96		N/A
5b. Mandatory contributions for retirement plans	5b.	\$ 0.00		N/A
5c. Voluntary contributions for retirement plans	5c.	\$ 0.00		N/A
5d. Required repayments of retirement fund loans	5d.	\$ 0.00		N/A
5e. Insurance	5e.	\$ 0.00		N/A
5f. Domestic support obligations	5f.	\$ 0.00		N/A
5g. Union dues	5g.	\$ 0.00		N/A
5h. Other deductions. Specify: _____	5h.+	\$ 0.00	+	N/A
6. Add the payroll deductions. Add lines 5a+5b+5c+5d+5e+5f+5g+5h.	6.	\$ 1,654.96		N/A
7. Calculate total monthly take-home pay. Subtract line 6 from line 4.	7.	\$ 5,845.04		N/A
<b>8. List all other income regularly received:</b>				
8a. Net income from rental property and from operating a business, profession, or farm Attach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income.	8a.	\$ 0.00		N/A
8b. Interest and dividends	8b.	\$ 0.00		N/A
8c. Family support payments that you, a non-filing spouse, or a dependent regularly receive Include alimony, spousal support, child support, maintenance, divorce settlement, and property settlement.	8c.	\$ 0.00		N/A
8d. Unemployment compensation	8d.	\$ 0.00		N/A
8e. Social Security	8e.	\$ 0.00		N/A
8f. Other government assistance that you regularly receive Include cash assistance and the value (if known) of any non-cash assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies. Specify: _____	8f.	\$ 0.00		N/A
8g. Pension or retirement income	8g.	\$ 0.00		N/A
8h. Other monthly income. Specify: _____	8h.+	\$ 0.00	+	N/A
9. Add all other income. Add lines 8a+8b+8c+8d+8e+8f+8g+8h.	9.	\$ 0.00		N/A
10. Calculate monthly income. Add line 7 + line 9. Add the entries in line 10 for Debtor 1 and Debtor 2 or non-filing spouse.	10.	\$ 5,845.04	+	\$ N/A = \$ 5,845.04
11. State all other regular contributions to the expenses that you list in Schedule J. Include contributions from an unmarried partner, members of your household, your dependents, your roommates, and other friends or relatives. Do not include any amounts already included in lines 2-10 or amounts that are not available to pay expenses listed in Schedule J. Specify: _____	11.		+\$	0.00
12. Add the amount in the last column of line 10 to the amount in line 11. The result is the combined monthly income. Write that amount on the Summary of Schedules and Statistical Summary of Certain Liabilities and Related Data, if it applies	12.			\$ 5,845.04
				<b>Combined monthly income</b>
13. Do you expect an increase or decrease within the year after you file this form? <input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes. Explain: <span style="border: 1px solid black; padding: 2px;">They knew a year in advance, when Ken Adkisson planned to retire, within only a few months.</span>				

Fill in this information to identify your case:

Debtor 1 **Fawn** ██████████ **Fenton**

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: **MIDDLE DISTRICT OF TENNESSEE**

Case number \_\_\_\_\_  
(If known)

Check if this is:

An amended filing

A supplement showing postpetition chapter 13 expenses as of the following date:

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
MM / DD / YYYY

**Official Form 106J**  
**Schedule J: Your Expenses**

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach another sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

**Part 1: Describe Your Household**

1. **Is this a joint case?**
- No. Go to line 2.
- Yes. Does Debtor 2 live in a separate household?
- No
- Yes. Debtor 2 must file Official Form 106J-2, *Expenses for Separate Household of Debtor 2*.
2. **Do you have dependents?**  No
- Do not list Debtor 1 and Debtor 2.  Yes. Fill out this information for each dependent.....
- | Dependent's relationship to Debtor 1 or Debtor 2 | Dependent's age | Does dependent live with you?                               |
|--|-----------------|---|
| _____  | _____           | <input type="checkbox"/> No<br><input type="checkbox"/> Yes |
| _____  | _____           | <input type="checkbox"/> No<br><input type="checkbox"/> Yes |
| _____  | _____           | <input type="checkbox"/> No<br><input type="checkbox"/> Yes |
| _____  | _____           | <input type="checkbox"/> No<br><input type="checkbox"/> Yes |
- Do not state the dependents names.
3. **Do your expenses include expenses of people other than yourself and your dependents?**  No  Yes

**Part 2: Estimate Your Ongoing Monthly Expenses**

Estimate your expenses as of your bankruptcy filing date unless you are using this form as a supplement in a Chapter 13 case to report expenses as of a date after the bankruptcy is filed. If this is a supplemental *Schedule J*, check the box at the top of the form and fill in the applicable date.

Include expenses paid for with non-cash government assistance if you know the value of such assistance and have included it on *Schedule I: Your Income* (Official Form 106I.)

**Your expenses**

- |   |        |                 |
|---|--------|-----------------|
| 4. <b>The rental or home ownership expenses for your residence. Include first mortgage payments and any rent for the ground or lot.</b> | 4. \$  | <b>1,229.00</b> |
| <b>If not included in line 4:</b>   |        |                 |
| 4a. <b>Real estate taxes</b>  | 4a. \$ | <b>0.00</b>     |
| 4b. <b>Property, homeowner's, or renter's insurance</b>   | 4b. \$ | <b>15.00</b>    |
| 4c. <b>Home maintenance, repair, and upkeep expenses</b>  | 4c. \$ | <b>0.00</b>     |
| 4d. <b>Homeowner's association or condominium dues</b>  | 4d. \$ | <b>0.00</b>     |
| 5. <b>Additional mortgage payments for your residence, such as home equity loans</b>  | 5. \$  | <b>0.00</b>     |



Debtor Fawn ██████ Fenton

Case number \_\_\_\_\_

plan confirmation.  
 other: Entry of Discharge

**Part 9: Nonstandard Plan Provisions**

*Nonstandard provisions are required to be set forth below.*

These plan provisions will be effective only if the applicable box in § 1.3 is checked.

**Adequate Protection Payments:**  
**Toyota Motor Credit Co. @ \$25.00**

**Debtor moves for permission to sell real property located at 1986 Sunny Side Drive Brentwood, TN 37027 Williamson County, within 180 days of confirmation with no payments being made in the interim. The liens of Bank of America, NA and BanCorp South shall be satisfied in full and all remaining proceeds after Debtor's homestead exemption and costs of sale shall be paid to the Chapter 13 Trustee for the benefit of the estate.**

Confirmation of this Plan imposes upon any claimholder treated under § 3.1 and, holding as collateral, the residence of the Debtor(s), the obligation to: (i) Apply the payments received from the Trustee on pre-confirmation arrearages only to such arrearages. For purposes of this plan, the "pre-confirmation" arrears shall include all sums designated as pre-petition arrears in the allowed Proof of Claim plus any post-petition pre-confirmation payments due under the underlying mortgage debt not specified in the allowed Proof of Claim. (ii) Deem the mortgage obligation as current at confirmation such that future payments, if made pursuant to the plan, shall not be subject to late fees, penalties or other charges.

The Trustee may adjust the post-petition regular payments noted above and payments to the plan in paragraph 3 upon filing notice of such adjustment to debtor, debtor's attorney, creditor, and the U.S. Trustee where, and to the extent the underlying contract provides for modification.

The Trustee is authorized to pay any post-petition fees, expenses, and charges, notice of which is filed pursuant to Rule 3002.1, F.R.B.P. and as to which no objection is raised, at the same disbursement level as the arrears claim noted above.

**Part 10: Signatures:**

X /s/ Mary Beth Ausbrooks Date April 26, 2019  
Mary Beth Ausbrooks  
Signature of Attorney for Debtor(s)

X /s/ Fawn ██████ Fenton Date April 26, 2019  
Fawn ██████ Fenton

X \_\_\_\_\_ Date \_\_\_\_\_

Signature(s) of Debtor(s) (required if not represented by an attorney; otherwise optional)

**By filing this document, the Attorney for Debtor(s) or Debtor(s) themselves, if not represented by an attorney, also certify(ies) that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in the form required under the Local Rules for the Bankruptcy Court for the Middle District of Tennessee, other than any nonstandard provisions included in Part 9.**

3

Fenton 19-02693: sale motion complaint - Message (HTML)

File Message Add-ins Help Acrobat Tell me what you want to do

Save Undo Redo Previous Item Next Item Print Preview

### Fenton 19-02693: sale motion complaint



Seliber, Megan (USTP) <Megan.Seliber@usdoj.gov>

To Jeff Fenton

Reply Reply All Forward

Tue 3/15/2022 6:08 PM

fenton 319-02693 deed.pdf 247 KB

Mr. Fenton,

I further investigated your complaint that you were not given notice of the motion to sell 1986 Sunnyside Drive as a co-owner in bankruptcy court. I confirmed that you did not receive notice. Because Judge Binkley gave your ex-wife the power to close the sale in family court, it does not appear that any objection in bankruptcy court would have been availing even if you had been given notice. For your records, I've attached the warranty deed and the family court order that was recorded.

Although you are welcome to seek bankruptcy counsel to investigate the matter further, I believe that because the family court had dual jurisdiction over the property, you will need to seek any further remedy in state court. As the property has already been sold to a third-party purchaser, it is also unclear if any remedies would be available.

This concludes my investigation into your complaint.

Best,



**Megan Seliber**  
Trial Attorney, Office of the United States Trustee  
318 Customs House, 701 Broadway  
Nashville, TN 37203  
(615) 695-4060



4

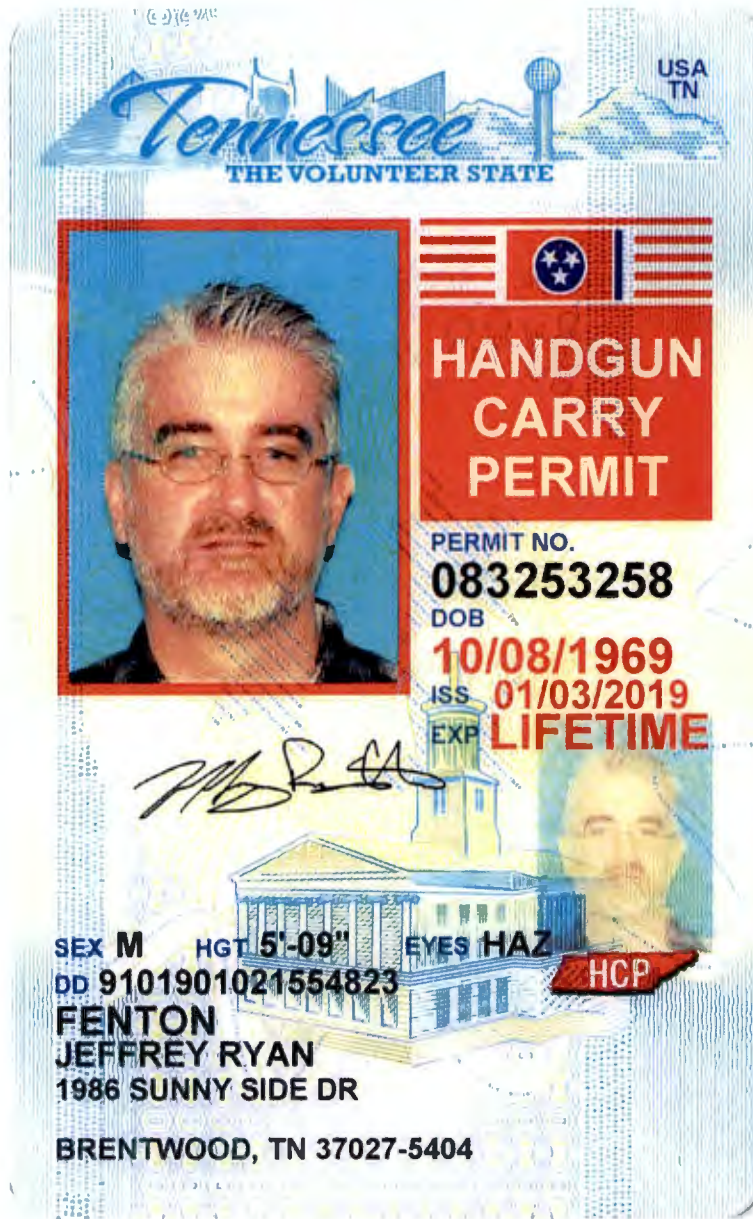
# CLEAR EVIDENCE THAT I HAD RECENTLY PASSED BOTH STATE AND FEDERAL BACKGROUND CHECKS, WITH FLYING COLORS! WHILE NOT HAVING ANY CRIMINAL OR VIOLENT HISTORY, EVER!!!

(ISSUED JAN 3<sup>RD</sup>, 2019)

THE ONLY PEOPLE TO CLAIM ANY DIFFERENTLY: ARE MY EX-WIFE WHO SAVED APPROXIMATELY \$250K BY TELLING THOSE LIES, HER ATTORNEY, VIRGINIA LEE STORY, WHO ALSO PROFITTED NICELY, WITHOUT NEAR THE "WORK" AS ARGUING THE TRUTH! ALONG WITH SOME OF Ms. STORY'S (AND WHO ELSE'S?) "FRIENDS". FINALLY, THERE IS ATTORNEY VIRGINIA LEE STORY'S CLOSE AND TRUSTED "FAMILY FRIEND", THE CHANCERY COURT JUDGE WHO MADE IT ALL POSSIBLE, JUDGE MICHAEL W. BINKLEY (WHO SHOULD HAVE RECUSSED HIMSELF, BY FEDERAL LAW, IN THE VERY BEGINNING!) WHILE WHO KNOWS IF JUDGE BINKLEY'S MOTIVATION WAS FINANCIAL, "QUID PRO QUO", FAMILIAL, FAVORING A "FRIEND", OR STRICTLY HATE AND DISCRIMINATION AGAINST WHO HE PERCEIVED ME TO BE, OR THE "TYPE" OF PERSON WHICH HE ASSUMED THAT I "REPRESENT". WHETHER DUE TO Ms. STORY'S "EX PARTE" CLAIMS PRIOR TO MEETING ME, OR SHORTLY THEREAFTER, BEFORE I WAS EVER ALLOWED TO SPEAK A SINGLE WORD!

JUDGE BINKLEY (TE-1, 16:15-18): "ONE OF THE BIGGEST PROBLEMS I'M UP AGAINST... IS WHO'S GOING TO CONTROL THE HUSBAND?"

## BIASED TRIAL COURT!



POSSIBLY FOR BEING A MAN, WHO WAS NOT THE PRIMARY "BREADWINNER" FOR HIS FAMILY, WHO STRUGGLES WITH DISABILITIES, TO WHICH JUDGE BINKLEY TOLD ME IN COURT, "SIR, I RESPECT THAT. BUT WE ALL HAVE BURDENS... EVERYBODY IN THIS ROOM HAS... JUST LIKE YOU DO... I CAN'T MAKE EXCUSES FOR THAT." (R.v4, 508-509) OR MAYBE BECAUSE I WAS RAISED IN THE "NORTH", WHILE "YANKEES" ARE STILL DESPISED BY SOME PEOPLE IN THE SOUTH, AS I'VE BEEN PICKED AT THROUGH THE YEARS. I CAN'T TELL YOU JUDGE BINKLEY'S "MOTIVATIONS", BUT I CAN PROVE HIS FAILURES AND EVEN HIS REFUSAL TO PROVIDE ME WITH A FAIR AND IMPARTIAL TRIAL (TRIBUNAL), MULTIPLE TIMES OVER!

JUDGE MICHAEL W. BINKLEY, WHO ONLY SPENT ONE HOUR WITH ME IN COURT, WHILE ONLY ALLOWING ME TO SPEAK FOR 7.1 MINUTES, WHICH HE SAID WAS IRRELEVANT THAT DAY ANYHOW. WHILE MY TESTIMONY WAS FOUNDATIONAL TO THE ENTIRELY "FRAUDULENT NARRATIVE" WHICH Ms. STORY HAD FABRICATED AND FORCED UPON THE COURT. WHILE "THEY" CONTINUE TO DEPRIVE ME OF MY LIFE, MY LIBERTY, AND MY PURSUIT OF HAPPINESS. TO THIS DAY, WITHOUT DUE PROCESS OF LAW, WHILE TERRORIZING MY FAMILY!

JUDGE MICHAEL W. BINKLEY BETRAYED HIS OATH OF OFFICE, HIS JUDICIAL SUPERVISORY DUTIES, ALONG WITH JUDICIAL CANONS 1 - 3, BY ALLOWING HIS CLOSE "FAMILY FRIEND" AND CONTROVERSIAL "WINNER TAKES ALL" ATTORNEY, VIRGINIA LEE STORY, TO MAKE CLEARLY FALSE STATEMENTS OF LAW IN HIS COURT (TE-1, 9:9-12, 10:11-13, 27:25-28:4, 28:24-29:8, 40:19-41:16, ETC.), IN GROSS VIOLATION OF RPC 3.3(A)(1)(3)(B)(C)(E)(F)(G). WHILE INSTEAD OF CORRECTING HER OBSCENELY OVERT MISCONDUCT: FRAUD UPON THE COURT, BIAS, DISHONESTY, NEGLIGENCE, UNFAIRNESS, HARASSMENT AND ABUSE BY PROCESS, AS REQUIRED IN THE "RULES OF JUDICIAL CONDUCT" (RJC 11, 212, 215, 22, 23, 26, 29), JUDGE BINKLEY JUST NODDED HIS HEAD UP-AND-DOWN, WHILE GRUNTING SOUNDS OF AGREEMENT, FOLLOWED BY COMPLETELY UNREASONABLE COURT ORDERS, WITH NO IMPARTIALITY, CONSIDERATION, FAIRNESS, COMMON-SENSE, OR CARE (DESPITE HUNDREDS OF PAGES OF REAL "EVIDENCE" TO THE CONTRARY), AT THE CONCLUSION OF EVERY "HEARING"! JUDGE BINKLEY NEVER ONCE CORRECTED Ms. STORY FOR "TESTIFYING AS A WITNESS" TO NEARLY EVERY WORD SHE SPOKE, IN VIOLATION OF THE "RULES OF PROFESSIONAL CONDUCT" WHICH STATES "A LAWYER SHALL NOT ASSERT PERSONAL KNOWLEDGE OF FACTS IN ISSUE EXCEPT WHEN TESTIFYING AS A WITNESS" (RPC 3.4(B)(D)(E)(1)(2)(3)), WHILE A "WITNESS" TO NEARLY NONE OF IT! (THAT ALONE, VERIFIABLE BY SKEPTICALLY READING THE "M2019-02059 TRANSCRIPT OF EVIDENCE-1" FROM MY 8/1/2019 HEARING, SHOULD BE SUFFICIENT TO ORDER A "MISTRIAL" AND/OR TO "STRIKE" EVERY ACTION IN THIS CASE!) REGARDLESS OF "MERITS" (WHICH WERE ALSO FRAUDULENT), THE "LANGUAGE" ALONE WAS UNREASONABLY UNETHICAL & ILLEGAL! INSTEAD JUDGE BINKLEY BIASEDLY TOOK EVERY WORD SHE SPOKE, AS IF IT WERE "FACT"! THE ABSENCE OF "IMPARTIALITY" AND THE PRESENCE OF "FRAUD UPON THE COURT" VOIDS EVERYTHING, WITH NO "STATUTE OF LIMITATIONS", EVER! LIKE THE "FRUIT OF THE POISONOUS TREE", THE "FRAUD" IS NO LONGER DISTINGUISHABLE FROM THE "TRUTH", BY REVIEWING THE COURT'S "RECORDS" IN THIS CASE. (ATTORNEY STORY "COLORED" EVERY AFFIDAVIT, MOTION, AND COURT ORDER SHE WROTE!) I DEMAND JUSTICE!



**VOID JUDGMENTS - NO JURISDICTION - NO DUE PROCESS**  
**OF LAW, EXCESSIVE FRAUD UPON THE COURT BY OFFICER(S)**  
**OF THE COURT, IN THE STATE OF TENNESSEE'S**  
**WILLIAMSON COUNTY CHANCERY COURT**

**AFFIDAVIT OF JEFFREY RYAN FENTON**  
**(CERTIFYING DOCUMENT FEATURING MY HANDGUN PERMIT)**

**STATE OF: MICHIGAN**

**COUNTY OF: GENESEE**

I, the Affiant, who goes by Jeffrey Ryan Fenton, a man, being of sound mind, and over the age of twenty-one, reserving all rights, being unschooled in law, and who has no BAR attorney, is without an attorney, and having never been competently re-presented by an attorney, and not waiving assistance of counsel, knowingly and willingly Declares and Duly affirms, in accordance with laws in and for the State of Tennessee, the State of Washington, and the State of Michigan, in good faith, and with full intent for preserving and promoting the public confidence in the integrity and impartiality of the government and the judiciary, that the following statements and facts, are true and correct of Affiant's own first-hand knowledge, understanding, and belief, do solemnly declare, and depose and say:

- 1.) **Every action in Williamson County Chancery Court Docket #48419B is VOID** (not avoidable). Due to failed **DUE PROCESS of LAW**, **Jurisdictional Violations**, and an excessive amount of **"Fraud Upon the Court by Officer(s) of the Court."**
- 2.) Each of which have **NO "Statute of Limitations"** for seeking corrections and a cure.



- 3.) It will require **multiple affidavits** for me to articulate the depth and breadth of the crimes which were committed against me and my family “under color of law,” in Williamson County Chancery Court. Along with the damages we have and continue to cruelly suffer.
- 4.) I do not believe that there is any “**qualified immunity**” remaining for **any** party involved.
- 5.) **These statements of fact involve two cases in Middle Tennessee, during 2019 (four separate actions intertwined)** on behalf of my wife (at that time), “**Fawn Tiffany Fenton**”, hereinafter referred to as “**ex-wife**”, to protect her privacy.

### **WILLIAMSON COUNTY CHANCERY COURT**

- 6.) These statements of fact are about **Docket #48419B** filed on **6/4/2019**, by **Story, Abernathy, & Campbell, PLLP** in **Williamson County Chancery Court**. The Courthouse is located at **135 4th Avenue South, Franklin, TN 37064**.
- 7.) The Chancery Court Clerk & Master is **Attorney Elaine Beaty Beeler** (BPR# 016583), the presiding Chancellor was **Judge Michael Weimar Binkley** (BPR# 005930), while my opposing Counsel was **Attorney Virginia Lee Story** (BPR# 011700) and **Attorney Kathryn Lynn Yarbrough** (BPR# 032789) with **Story, Abernathy, & Campbell, PLLP**.

## **U.S. BANKRUPTCY COURT - MIDDLE TENNESSEE**

- 8.) The actions taken in Williamson County Chancery Court, were directly tied to, in coordination with, and allegedly based upon my ex-wife's **Chapter-13** bankruptcy action, **Case 3:19-bk-02693** in **The U.S. Bankruptcy Court for the Middle District of Tennessee**, found at 701 Broadway Ste 260, Nashville, TN 37203-3983.
- 9.) The Federal Bankruptcy Court Judge presiding was **Judge Charles M. Walker** (BPR# 019884). The Chapter-13 Trustee responsible was **Attorney Henry Edward Hildebrand, III** (BPR# 032168). While Bankruptcy Counsel for my ex-wife was **Attorney Mary Elizabeth Maney Ausbrooks** (BPR# 018097) and **Attorney Alexander Sergey Koval** (BPR# 029541) both of **ROTHSCHILD & AUSBROOKS, PLLC**.

## **COURT OF APPEALS OF TENNESSEE AT NASHVILLE**

- 10.) Upon appeal of the actions above in Chancery Court, I was the "Appellant" at the **Court of Appeals of Tennessee at Nashville**, in **No. M2019-02059-COA-R3-CV**.
- 11.) The Order dismissing my appeal was approved by the following panel of Judges: **Judge Frank G. Clement** (BPR# 006619), **Judge Andy Dwane Bennett** (BPR# 009894), and **Judge William Neal McBrayer** (BPR# 013879).

## **SUPREME COURT OF TENNESSEE AT NASHVILLE**

- 12.) I tried to escalate my appeal to the **Supreme Court of Tennessee at Nashville**, in **No. M2019-02059-SC-R11-CV**, but my application for permission to appeal was denied.

### **PURPOSE AND INTENT**

- 13.) This document has been created to exercise my **FIRST AMENDMENT RIGHT** and **RESPONSIBILITY** as a **CITIZEN**, to hold government accountable for their actions, no matter how resistant to the **TRUTH** that government is.
- 14.) While continuing to seek a peaceful **LEGAL CURE**, so that I can **SURVIVE** this loss!

### **CERTIFYING THE FACTUAL ACCURACY AND THE TRUTHFUL CONTENTS, IN MY DOCUMENT FEATURING MY TENNESSEE LIFETIME HANDGUN CARRY PERMIT (#083253258)**

- 15.) Due to the size limitations and layout of the page, some of the legal citations are grouped together (abbreviated) instead of cited directly beside and repeatedly with each sentence, as they apply. Although slightly displaced, all citations are believed to be factual and correct, both in application and intent, along with the rest of the claims, statements, and accusations made throughout the language of this document, when considered together as a whole.
- 16.) The text and testimony of the subject document are also being provided here, as a larger print format for the Court to more easily read.



- 17.) This is a single page document/publication/testimony, with very pointed language, clearly intended to catch the attention of others. To tell them about my continued sufferings “under color of law,” and to seek HELP for myself and ACCOUNTABILITY for Judge Michael W. Binkley and Attorney Virginia Lee Story (along with several of their friends).
- 18.) **No part of these documents are intended to harm, defame, or injure any party, their families, their businesses, or any other aspect of their lives and/or the communities within which they live, except to what extent it is necessary to EXPOSE the TRUTH and bring forth JUSTICE. As it should have been administered in the first place.**
- 19.) None of this is done maliciously, pretentiously, or for ulterior motives.
- 20.) **None of these allegations are false or fraudulently presented.**
- 21.) I can supply substantial high-value, cross-referenceable, verifiable EVIDENCE to any party honestly acting in good-faith; for the purpose of investigating, proving, looking to disprove, or to honestly decide the truthfulness of my claims here.
- 22.) **I declare in good faith that the statements throughout are TRUE.**
- 23.) Though not designed or stated line-by-line, as usually seen in Affidavits, my claims, statements, accusations, throughout **are actual statements of FACT.**

- 24.) My non-conventional approach is simply out of desperation, in hopes of catching anyone's attention, to let the TRUTH be heard!
- 25.) I am in the process of designing several "picture books", which poignantly SHOW the TRUTH in a way which I hope will be more easily received and understood.
- 26.) In hopes that any reasonable mind will no longer be able to pushed-off, refuse to hear, and continue to be unconscionably ignored by the Courts.
- 27.) **Where I am hoping that the pictures alone will largely prove my case, while adding language to help clarify what is being shown, as well as the damages which I have and continue to suffer "under color of law."**
- 28.) **Caused by an otherwise unbelievable group of "bad actors," at the highest levels within the State of Tennessee.**
- 29.) The TEXT CONTENT of my Document Featuring my Tennessee Lifetime Handgun Carry Permit, are Listed Below (please note: fonts, colors, size, spacing, and emphasis may differ from the production document, but they contain identical wording and citations, without the paragraph numbers below.)
-

- 30.) **Clear evidence that I had recently passed both State and Federal background checks, with flying colors!** While not having any criminal or violent history, ever!  
(Issued Jan 3rd, 2019)

### **SCAN OF MY TENNESSEE LIFETIME HANDGUN CARRY PERMIT**

- 31.) The only people to claim any differently: are my ex-wife, who saved approximately **\$250k** by telling those lies, her attorney, Virginia Lee Story, who also profited nicely, **without near the “work” as arguing the truth!** Along with some of Ms. Story’s (and who else’s?) “FRIENDS”. Finally, there is Attorney Virginia Lee Story’s close and trusted “**family friend**”, the chancery court judge who made it all possible, **Judge Michael W. Binkley** (who should have recused himself, by Federal Law, in the very beginning!)
- 32.) While who knows if Judge Binkley’s motivation was financial, “quid pro quo”, familial, favoring a “friend”, or strictly hate and discrimination against who he perceived me to be, or the “type” of person which he assumed that I “represent”. Whether due to Ms. Story’s “ex parte” claims prior to meeting me, or shortly thereafter, **before I was ever allowed to speak a single word!**
- 33.) Judge Binkley (TE-1, 16:15-18):



---

*“One of the biggest problems I’m... Up against... Is  
who's going to control the husband?”*

---

34.) **Biased Trial Court!**

35.) Possibly for being a man, **who was not the primary "breadwinner" for his family**, who struggles with disabilities, to which Judge Binkley told me in court (R.v4, 508-509):

---

*“Sir, I respect that. But we all have burdens...  
Everybody in this room has... Just like you do...  
I can't make excuses for that.”*

---

36.) Or maybe because I was raised in the "North", while "Yankees" are still despised by some people in the South, as I have been picked at through the years. I can't tell you judge Binkley's "motivations", but I can prove his failures and even his refusal to provide me with a fair and impartial trial (tribunal), multiple times over!

37.) Judge Michael W. Binkley, who only spent **ONE HOUR** with me in court, while only allowing me to speak for **7.1 minutes**, which he said was irrelevant that day anyhow. While my testimony was foundational to the entirely "fraudulent narrative" which Ms. Story had fabricated and forced upon the court. While "they" continue to deprive me of my life, my liberty, and my pursuit of happiness. **To this day, without due process of law, while terrorizing my family!**

- 38.) **Judge Michael W. Binkley betrayed his Oath of Office, his Judicial Supervisory Duties, along with Judicial Canons 1 - 3, by allowing his close "family friend" and controversial "winner takes all" Attorney, Virginia Lee Story, to make clearly false statements of law in his court** (TE-1, 9:9-12, 10:11-13, 27:25-28:4, 28:24-29:8, 40:19-41:16, etc.), in gross violation of RPC 3.3(a)(1)(3)(b)(c)(e)(f)(g).
- 39.) **While instead of CORRECTING her obscenely overt MISCONDUCT: Fraud Upon the Court, Bias, Dishonesty, Negligence, Unfairness, Harassment and Abuse by Process, as required in the "Rules of Judicial Conduct" (RJC 1.1, 2.12, 2.15, 2.2, 2.3, 2.6, 2.9), Judge Binkley just nodded his head up-and-down, while grunting sounds of agreement, followed by completely UNREASONABLE Court Orders, with NO IMPARTIALITY, consideration, fairness, common-sense, or care (despite hundreds of pages of real "EVIDENCE" to the contrary), at the conclusion of every "hearing"!**
- 40.) **Judge Binkley never once CORRECTED Ms. Story for "testifying as a witness" to nearly every word she spoke, in violation of the "Rules of Professional Conduct" which states:**

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***"A lawyer shall not assert personal knowledge of facts in issue  
except when testifying as a witness"***

***RPC 3.4(b)(d)(e)(1)(2)(3)***

---

41.) While a "witness" to nearly none of it! That alone, verifiable by skeptically reading the "M2019-02059 Transcript of Evidence-1" from my 8/1/2019 hearing, should be sufficient to order a "mistrial" and/or to "strike" every action in this case!

42.) Regardless of "merits" (which were also fraudulent), the "language" alone was unreasonably unethical & illegal! Instead Judge Binkley biasedly took every word she spoke, as if it were "FACT"!

43.) The absence of "Impartiality" and the presence of "Fraud Upon the Court" VOIDS everything, with no "Statute of Limitations", ever!

44.) Like the "Fruit of the Poisonous Tree", the "Fraud" is no longer distinguishable from the "Truth", by reviewing the court's "Records" in this case. (Attorney Story "colored" every affidavit, motion, and court order she wrote!) I demand JUSTICE!



45.) End of text content from document.

**MAY JUSTICE BE SERVED!**

**THE PUBLIC WELFARE REQUIRING IT!**



## FURTHER AFFIANT SAITH NOT.

I declare under the penalty of bearing false witness before God and as recognized under the laws in and for the State of Tennessee, the State of Washington, and the State of Michigan, along with the Laws of the United States of America, acting with sincere intent and full standing in law, do herewith certify and state that the foregoing contents are true, correct, complete, certain, admissible as evidence, and not intended to mislead anyone, and that Jeffrey Ryan Fenton executes this document in accordance with best knowledge and understanding without dishonor, without recourse; with All rights reserved\*, without prejudice.

**\*Notice of Specific Right Reserved:** This document, and every part herein, is prohibited from being used directly against my ex-wife, her person, property, career, earnings, estate, future earnings, financial interests, and inheritances, by any party other than myself. Furthermore, this document and every part herein, is expressly prohibited from being used in any Civil or Criminal actions directly against my ex-wife, except as is specifically authorized by me in writing, prior to her inclusion in any action, with clear, specific, and direct language (directly naming my ex-wife, directly naming this specific document and "Right Reserved", directly naming the specific action which she is to be included in, and the explicitly authorized terms or exceptions, which must all be clearly defined and grouped together within the body of a SINGLE-PAGE), to reduce the likelihood for any deceptive wordsmithing, litigious trickery, or fraudulent claims. No claims of verbal authorization or consent are acceptable or binding. For the purposes of this paragraph, "directly naming my ex-wife" shall mean: with her full name clearly written, meeting the conditions of this paragraph, not by implication, association, representation, party, counsel, or agency.

\*No part of this "Right Reserved" shall provide any protection to any Agent, Counsel, Attorney, Lawyer, Judge, Auctioneer, Broker, Trustee, ABA and/or BAR Member, Court, City, County, State and/or Country, or any other person, entity, or division of government, allegedly acting on my ex-wife's behalf or otherwise.

\*Should the language of this "Right Reserved" ever conflict with the language of any other document, form, contract, pleading, etc... either signed by me previously or at any point hereafter, including if I am coerced, ordered, or forced by any authority, judge, court, division of government or law enforcement body, to sign any such document after the execution of this Affidavit, in all such instances, regardless of the authority, power, circumstances, or claims (no matter how extreme), the terms of this "Right Reserved" shall CONTROL and RULE. I hereby plead the protections of the 5<sup>th</sup> Amendment in any situations where a party, entity, or agency chooses to still try to force my cooperation, testimony, and/or compliance to my ex-wife's detriment. We've both suffered far more than "our share"! It is time for some real JUSTICE! (Not leveraging laws to weaponize!)

\*It is time for the Court, the Counsel, the County, and the State to be held accountable for their irresponsible and unconscionable actions and inactions, both in the commission of crimes as well as in slothful complacency and/or indifference, refusing to set up safeguards for the ethical protection of both the people and for preserving the integrity of Tennessee's Judiciary. Failing to mandate an ethical division between the judiciary and those who plead cases in their courts. Preventing any Judge in the State of Tennessee from hearing a legal argument where a "friend" OR "family" member is an interested party, litigant, or Counsel in the case. (ESPECIALLY WITHOUT FULL DISCLOSURE FIRST!) Else, true impartiality is IMPOSSIBLE on a consistent basis. While if you do not BELIEVE that, you have no higher education of value to the State, nor any knowledge of HISTORY, for THOUSANDS of years, throughout EVERY NATION known to man, while never ONCE has hidden and unaccountable power NOT CORRUPTED those holding it!


\*To pretend otherwise, is to be an "accessory" to the crimes of those unconscionable "Members of the Court" who play the same games TODAY as Casey Moreland did, or even far worse! Keeping Tennessee's Judiciary in a constant state of disrepute. While you have betrayed your Country, your State, your Oath of Office, and your SUPERVISORY DUTIES by the Judicial Canons (which are NOT OPTIONAL for the Judiciary) to responsibility exercise the POWER which you have been entrusted with, to PROTECT the interests of the PEOPLE! To accept anyone's testimony that they are ABOVE TEMPTATION or ABLE to REMAIN IMPARTIAL (which is nearly impossible in the best of circumstances) is to DENY any knowledge of GOD or the BIBLE, which clearly, graphically, and continually talks about the INHERENT FALLIBILITY OF MANKIND! While the Tennessee Constitution demands that you believe in GOD, and essentially "Heaven" and "Hell" to hold office in this State, so to act CONTRARY to such knowledge is to be a TRAITOR to the very people you claim to SERVE! The High Courts are defying common sense, any knowledge of history, any ability to impartially discern and JUDGE, any knowledge of God, the Bible, or the realistic CONDITIONS of MANKIND, making the average HOMELESS person look more intelligent, fair, knowledgeable, and HONEST, than Tennessee's Highest Courts! While I know there are some GOOD PEOPLE in the Tennessee Supreme Court, so why hasn't this archaic "NOD" and "BLIND EYE" to CORRUPTION been REMEDIED YET (using grade-school common-sense)? That is where you will find the ROOT of Tennessee's Judicial CORRUPTION! It needs to be RIPPED-OUT, or you betray the very purpose for which you were appointed or elected. While being party to the destruction of countless lives, like MINE, who needed you to fulfill your Oaths of Office Honestly, Impartiality, willing to Protect the PEOPLE over the Powermongers!

Done this 1<sup>ST</sup> day of FEBRUARY in the year 2022, under penalty of perjury, under the laws of the United States of America.

  
\_\_\_\_\_  
**Jeffrey Ryan Fenton**

17195 Silver Parkway, #150  
Fenton, MI, 48430-3426  
[jeff.fenton@live.com](mailto:jeff.fenton@live.com)  
(P) 615.837.1300  
(F) 810.255.4438

SUBSCRIBED AND SWORN to this 1<sup>st</sup> day of, FEBRUARY, 2022.

  
\_\_\_\_\_  
Susan L. Temple  
Notary Public; in and for Genesee County  
State of Michigan  
My Commission Expires - 12-23-24



Initials: 

5



COPY

R.v1 (41-44)

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN

FAWN [REDACTED] FENTON,  
Plaintiff/Wife,

v.

JEFFREY RYAN FENTON,  
Defendant/Husband.

No. 48419B

FILED FOR ENTRY  
2019 JUL 17 PM 1:16

MOTION TO SELL THE MARITAL RESIDENCE

COMES NOW the Plaintiff/Wife, Fawn [REDACTED] Fenton (hereinafter "Wife"), by and through her attorney of record, Virginia Lee Story, and files this Motion to Sell the Marital Residence and in support of her Motion, would state as follows:

1. Wife filed her Complaint for Divorce against Husband on June 4, 2019.
2. ~~As of the date of the filing of this Motion, Husband has not filed an Answer to the Complaint for Divorce.~~
3. Wife currently has an *Ex Parte* Order of Protection against Husband ~~as the result of the domestic abuse she has incurred by Husband.~~
4. The ~~marital~~ <sup>misrepresentation</sup> ~~Misrepresentation, Prejudicial to Admin of Justice, Violate & Assist in Misconduct RPC 8.4(a)(c)(d)(f), False Statement RPC 4.1(a), Misleading RPC 3.4(b), Reasonably Should Know Crime/Fraud RPC 1.2(d)~~
5. Wife has not resided in the marital residence since April 2018 at which time she moved into her own apartment ~~as the living situation at home had gotten unbearable.~~
6. After Wife moved from the marital residence she continued to pay the mortgage and utilities for the marital residence up until the Spring of 2019 ~~when she could no longer afford to keep paying all of the bills on her own.~~
7. ~~As the result of her financial constraints,~~ Wife filed for bankruptcy in April 2019. The Trustee has agreed to allow Husband and Wife to sell the marital residence as the house will have sufficient equity to pay off the first and second mortgage holders if it is put

By Attorney Agreement between Brittany Gates and Virginia Story, due to an emergency in Ms. Gates family, requiring her to travel with her husband to Michigan.

Misleading RPC 3.4(b)

Irrelevant RPC 3.4(e)1

NOT MY FAULT!

Misleading RPC 3.4(b) Irrelevant RPC 3.4(e)1, Unheard, to Cause Bias RPC 8.4(c)

Misrepresentation, Prejudicial to Admin of Justice, Violate & Assist in Misconduct RPC 8.4(a)(c)(d)(f), False Statement RPC 4.1(a), Misleading RPC 3.4(b), Reasonably Should Know Crime/Fraud RPC 1.2(d)

IF "Trustee" REALLY knew that HUSBAND existed and was on DEED (as "Tenancy by the Entirety"), despite the fraudulently filed bankruptcy petition by Attorney Ausbrooks, then the Trustee must have been a party to the "Conspiracy Against MY Rights and Property" ALSO! Which means they have probably (ALL) played this scam on OTHERS before! Acting United States Trustee for Region 8, Paul A. Randolph needs to be contacted at (901) 544-3251 to inquire further about the Responsibilities of the Trustee, the Attorney, and the Judge, to determine how high-up the chain of command the "FRAUD UPON THE COURT", "Bankruptcy Fraud", Conspiracy Against Rights, Deprivation of Rights and Property "Under Color of Law" went. This could be both a Bivens and a 1983 case, with all the criminal counterparts.



This was the ONLY reason WHY Attorney Virginia Lee Story was HIRED! This is the ONLY reason WHY my ex-wife filed for BANKRUPTCY! To get me OUT OF OUR HOUSE, to TAKE POSSESSION of it, and LIQUIDATE it, while taking all the financial benefit for her creditors (which largely paid HER COUNSEL). Attorney Story tried to pretend like there would be some BENEFIT to US BOTH by depriving me of DUE PROCESS and FORCING THE IMMEDIATE AUCTION OF MY HOME! Foreclosure would have been FAR BETTER FOR ME, for the Federal Protections, the Right to Redemption, the NOTICE, the Protecting Tenants at Foreclosure Act.

on the market and sold immediately. If, however, Husband continues to reside in the home without paying the mortgage, foreclosure proceedings will begin and the parties will be charged late fees, attorney's fees, foreclosure costs and closing costs. If the foreclosure begins, then the parties will have no equity in the property.

This was all FRAUDULENT hyper-babble in a ludicrous attempt to LOOK AS THOUGH she JUSTIFIED STEALING MY PROPERTY.

Of the \$1,400 per month in rents, Wife was given the financial benefit and relief of approximately \$900 per month!

By calculations she provided me a few months earlier, stating she was about \$500 short per month from cash-flowing, she SHOULD have cash-flowed for the FIRST time since she erratically moved out without need or notice, plus had a \$400 per month SURPLUS!

She had to take a PAY-CUT to try to "QUALIFY" for BANKRUPTCY!

This was ALL a highly orchestrated SCAM, not against the government or the creditors, but AGAINST ME!

8. As part of the bankruptcy agreement Wife agreed to continue paying Bancorp South's second mortgage payments to avoid foreclosure as they would not allow the parties time to list the house through the divorce. Therefore, Wife is paying the second mortgage while Husband lives in the house for free and collects rent from two (2) roommates that he has moved into the home. The balance on the second mortgage is approximately \$54,000.00. Bank of America holds the first mortgage with a balance of approximately \$240,000.00.

While Judge Michael W. Binkley was "in on it" from the beginning!

There was ZERO "Impartiality"!

The Hearing was supposed to be on "whether or not" to sell, but ALL that Binkley and Story wanted to discuss was WHEN and by WHAT MEANS to SELL!

It was ALL a FRAUDULENT SHOW!!!

As of 1/10/2022 the VALUE is \$800k+ while only owing \$300k! That means we would have \$500k in EQUITY, had the Court NOT FORCED an Auction before DISCOVERY!

9. Wife tried to convince Husband to put the house in the market in the fall of 2018 as finances were getting tighter, however, Husband would not agree on anything and Wife believes that Husband will again try and do whatever he can in order to stall this process.

How do you use something I said AFTER she left me, as grounds for her leaving me? Didn't I need to be MEAN first?

10. Husband has threatened Wife, previously making the following statements:

"I promise you, it will cost you more if we sell than if we don't!" and "I will not fix it up for sale, and I will not live in it while it's on the market." (Text message July 27, 2018)

"If you choose to fight me on this, I will leverage every penny of this home which I legally can, plus it's future value to leave it in my will to whomever will fund my legal battle with you, no matter how complex the case, or how many appeals that it requires." (Text message March 27, 2019).

"I will work and fight to my death, to never allow you or anyone else to TAKE this property from me...." (Text message May 25, 2019).

Did you know that we used to text, call, email each other (or do a screen share) on average FIVE to TWENTY-FIVE times PER-DAY, until "d-day" struck? I probably have a DECADE's worth of EMAILS and maybe FIVE-years worth of TEXT messages (possibly more), if you want to READ them all before you start judging ME and MY CHARACTER on just a few of the most unsettling, AFTER she had

Or would you rather that I show you ALL the texts and emails which were between these dates that were REALLY, REALLY NICE, when I wasn't scared to death about becoming HOMELESS, for trusting her enough to risk sacrificing my OWN HOME, for one which we both knew that I could never afford on my own!

Which is why we had a \$300k LIFE INSURANCE policy on just her, so I'd never become HOMELESS as a result of "risking a life larger" than I could ever afford, on my own. The only thing I never "prepared" for, was what if SHE EVER CHOSE to leave me? Ooops!

I also sent her text messages (or emails) where I offered to GIVE her MY EQUITY for FREE if she would live in OUR HOME, since we purchased it TOGETHER, because it was the desire of HER HEART!

Incidentally, NONE of my texts or emails are EVER that SHORT!

While I've been "LONGWINDED" ALL MY LIFE (and I can prove it). She knew what she was marrying into!

Everybody has their "pros" and "cons". Since you cherry-picked the texts which would make me look the worst, would you like me to respond by sharing all of her negative qualities, which I accepted and loved her in spite of?



Then Wife should have listed Husband's INVESTMENT AND EQUAL OR GREATER OWNERSHIP INTEREST IN THE PROPERTY. Whereby the BANKRUPTCY TRUSTEE would have been able to provide Husband with the legally required "341 NOTICE".

Instead, this was BANKRUPTCY FRAUD! The first of MULTIPLE LEVELS of FRAUD UPON THE COURT, BY OFFICER(S) OF THE COURTS!

Spanning both State and Federal Courts Simultaneously, Leveraging Attorney Story's Influence with Binkley and Beeler, to illegally DEPRIVE ME OF MY RIGHTS AND PROPERTY!

Next they illegally deprived me of my LIFE, LIBERTY, and PURSUIT OF HAPPINESS TOO, through the most obviously FRAUDULENT DEFAULT JUDGMENTS, while breaking every promise Binkley & Story made to me in Open Court on 8/29/2019!

Refusing me even NOTICE or any opportunity to participate in SECRET HEARINGS or defend myself!

All because I REPEATEDLY TOLD THE COURT ABOUT ATTORNEY STORY'S HORRIFIC ABUSE OF PROCESS. How she was intentionally targeting and exploiting my disabilities, for a strategic advantage!

ABANDONED ME and REFUSED repeatedly to keep her promises, so that we could both survive the divorce without getting destroyed or displaced. Regretfully, somebody talked her out of that. You can read them to VERIFY that it was "mutual" and "consensual", without any "ABUSE" taking place. Instead, she LIKED it, she often INNITIATED it, I was like her best friend just on the other side of her monitor! Did you know that ISN'T A CRIME? Or even indicative of one?

"I will stay here until you, the banks, and the police carry me out of here." (Text messages, June 15, 2019)

11. Wife is unsure what all modifications and/or renovations Husband has done to the home since she left in April 2018. Prior to her leaving, Husband had installed numerous security cameras and devices in the home and has rented out rooms to various individuals. Wife is concerned that Husband may be devaluing the home by making undesirable changes to the property.

**WE DID THIS TOGETHER YEARS EARLIER!**

**RETAIL "AS IS" (NOT at AUCTION!)**  
Deceptive Manipulation

12. Wife believes the home to be valued at approximately \$425,000.00. The Williamson County Property Assessor values the home at \$386,900.00. A similar home across the street, 1987 Sunny Side Drive) sold for \$524,900.00 in April 2018. Therefore, the sale of the home is likely to easily pay off both of the mortgages and still leave the parties some equity.  
Tenn. R. Sup. Ct. 3.4(g), 3.5(e), 8.3(a)(b), 8.4(a)(b)(c)(d)(f)

13. Pursuant to the terms of Wife's bankruptcy, if the home is not placed on the market in a timely manner, then one or both of the mortgage holders may begin foreclosure proceedings and the parties will lose all available equity in the property.  
Rule 5.1 F.R.Civ.P., Rule 2002§341 F.R.Civ.P.  
Tenn. Code § 39-16-507(a)(3),(c)(3), Tenn. Code § 39-16-503 (a)(2), T.C.A. § 39-16-403  
TN CONST Art. I, § 2, 7, 8, 17, 22, 25, 30, 35(b)(d)(g)

14. Husband has made it very clear that he will do whatever he can to thwart any effort of Wife to sell the home.  
Rule 8(f) FRCP, TN Code § 39-15-101  
18 U.S.C. 1341, 1503

Would the Court Allow a MAN to kick his WIFE out into the STREETS with no income, savings, no provision or shelter within the state?

15. Because time is of the essence, Wife requests that this Court order that Husband immediately vacate the premises so that the home can be prepared for sale.  
With what MONEY?  
To LIVE WHERE?

18 U.S.C. § 241, 242, 249, 28 U.S.C. §455(a)

TN Code § 48-1-102, T.R.A.P. Rule 36(a)(b)

16. Wife requests that this Court order the home to be sold by an independent third-party auctioneer to obtain the best sales price in a time efficient manner.

The goal ALL along - LIQUIDATE! (Not Responsibly Mitigate Damages to us BOTH.)

17. Wife would further request that she be reimbursed from the equity for the mortgage payments that she has made since vacating since April 2018 and that after the repayment of the first and second mortgage, that any remaining equity from the sale of

UNSUBSTANTIATED ALLEGATIONS without any good-faith, ethical, or legal NOTICE! My only real ASSET was in DEFAULT! My premarital retirement funds! I was due NOTICE prior to default; since Wife promised to pay & changed credentials, so I couldn't verify. My Counsel only had the case for FOUR-DAYS, because of Negligence by Prior Counsel, whom I had to terminate. Yet the Court and Ms. Story REFUSED to even give my substitute Counsel a FEW-DAYS to research options! It was all a FRAUDULENTLY ENGINEERED, CONSPIRACY AGAINST MY RIGHTS AND PROPERTY!

While Judge Binkley UN-REASONABLY ASSUMED, "well, if he doesn't want to be ABUSED by Attorney Story anymore, then I guess he doesn't want to defend himself or participate at ALL.

So we'll just skip his 250+ page ANSWER & COUNTER to every malicious complaint to date."

(Including an ad hoc "Divorce Answer and Counter Complaint", rendering a "DEFAULT" impossible!)

As Judge Binkley instructed Attorney Story to write and file a FRAUDULENT AFFIDAVIT, leaving out Information CRITICAL to the CASE, in violation of the RJC & RPC, as they cherry-picked the part they liked, while leaving out 3/4 of the CRITICAL CONTENT of Husband's handwritten letter left for Wife at the Marital Residence.

Fraud Upon the Court by Judge Michael W. Binkley and Attorney Virginia Lee Story, along with a BUNCH of their "friends"!



Despite the almost exclusively "fraudulent narrative" of Attorney Virginia Lee Story, any gender based discrimination by the Court and Counsel (which were significant), Wife had voluntarily been our family's primary "breadwinner" for about a decade, since obtaining her professional license and over doubling her income. Despite Ms. Story's blatant lies, Husband is NOT a "computer genius" and could not even qualify for an entry level job in computers, unless having some friend who could open the door and train Husband. Wife's earning potential is at least 3x that of Husband as an MIT graduated, highly accredited, Licensed Professional Architect. Wife was our family's SOLE provider the last 3-years of marriage (by her choice).

It was never a "toxic marriage", it was a "toxic divorce" because she refused to act in good-faith. Plus the "Trump Tax Reform" on 1/1/2019 made ALIMONY no longer TAX DEDUCTIBLE! So she waited for her boss to retire. (Known a year in advance.) Then SHE hired an ARMY!

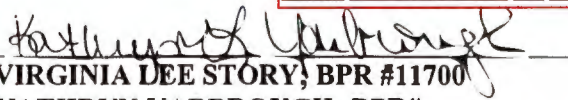
mortgage payments that she has made since vacating the home in April 2018 and that after the repayment of the first and second mortgage, that any remaining equity from the sale of the home be placed in the trust account of attorney for Wife until a distribution can be negotiated or further ordered from the Court.

WHEREFORE, premises considered, Wife respectfully requests that this Court grant her Motion to Sell the Marital Residence and that she be awarded her attorney fees for having to bring this Motion.

We both got \$0 from this FORCED AUCTION. We lost \$250k from what WE had invested into the home ourselves, plus almost a decade of my hard work. Auctioned for \$300k, resold for \$550k, worth over \$800k TODAY! WE BOTH LOST EVERYTHING BY THESE SCAMS!

Wife was paying our mortgages because she was our family's only "breadwinner" during that short season. She provided a budget whereby she alleged to be able to afford BOTH, along with the utilities, while paying me approximately \$1,000 per month for my consumables. Wife promised marriage counseling, going to church again together, trying to deal with our own issues while attempting to reconcile our marriage, etc... She even got an apartment near our home, so that we could "take turns" living in our home vs. the apartment, as well as to invite me over and "cook dinners" for us both, while sharing our pets. All of which she later refused.

Respectfully submitted,



VIRGINIA LEE STORY; BPR #11700  
KATHRYN YARBROUGH; BPR#

Attorney for Plaintiff/Wife  
136 Fourth Avenue, South  
Franklin, Tennessee 37064  
(615) 790-1778  
virginia@tnlaw.org

The house was negotiated a hundred different ways, with me keeping it, her keeping it, us selling it, but never did I offer to render myself HOMELESS! Our last deal fell through because she refused to sign her OWN verbal agreement of paying me \$1,750 per month in ALIMONY, for a duration of 6-Years (plus my 50% equity), as advised was "FAIR" by a financial expert we hired.

Wife even said, in an openly recorded conversation (in the beginning), that she would pay for my legal counsel, but I didn't want to waste our equity if we could do things amicably. Ultimately she refused both.

**THIS MOTION IS SET TO BE HEARD ON AUGUST 1, 2019 AT 9:00 A.M. ON THE CHANCERY COURT MOTION DOCKET HEARD AT THE WILLIAMSON COUNTY COURTHOUSE. IF NO WRITTEN RESPONSE TO THIS MOTION IS FILED AND SERVED IN THE TIME SET BY THE LOCAL RULES OF PRACTICE, THE MOTION**

**MAY BE GRANTED WITHOUT A HEARING.**

I could have supported myself again, but not immediately or while trying to learn LAW & survive multiple legal ambushes. I needed some vocational rehabilitation and time to transition. Now Binkley/Story won't let me, because of a fraudulent OP for 6-YEARS to HIDE their CRIMES!

**TESTIMONY EXPECTED**

**CERTIFICATE OF SERVICE**

Plus, I no longer had my own Duplex/Home to return to (which almost paid for itself), but had invested everything into our marital residence. Because it was the house of HER dreams, and as a better retirement investment for BOTH our premarital funds, after the 2008 market crash!

I hereby certify that a true and exact copy of the foregoing was forwarded via first-class mail, facsimile, and email to Brittany Gates, Attorney for Husband, at brittany@gateslaw.com and 1616 Westgate Circle, Suite 116, Brentwood, TN 37027 on this the 17 day of July 2019.

**HARD to BELIEVE,** I know, that was their plan, but its TRUE!

When it comes to Attorneys working "on behalf" of another, although Attorney Story was by far the "pack leader" and I believe the "mastermind" of these crimes, each licensed BAR Member who participated should share SOME culpability, responsibility and liability.

  
VIRGINIA LEE STORY  
KATHRYN L. YARBROUGH

RPC 3.4(b)(c)(f)(g), 4.1, 8.3(a)(b), 8.4(a)(c)(f), in addition to any potential criminal actions, being a party to the Conspiracy Against my Rights and Property, Financial Exploitation, ADA Violations, etc... We are not under "martial law" where anyone can claim they were acting under the direct orders of another, thereby relieving any personal responsibility to act lawfully and ethically. They "reasonably knew" or "reasonably should have known" what they were participating in. This collusion, accomplice, conspiracy, caused far more devastating damages and exploited my (human and ADA) inability to "multitask" and defend myself quickly enough, by superseding the rate at which Attorney Story could harm me on her own. I was held to a standard by Binkley/Story of a seasoned licensed Attorney. At least those involved could be held to a standard of being adults, having common sense, knowing the RPC, and ethically caring and respecting their Oaths.

6



IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN

FILED  
WILLIAMSON COUNTY  
CLERK & MASTER  
2019 AUG -6 AM 9:22  
FILED FOR ENTRY 8-14-19  
No. 48419B

FAWN ██████████ FENTON, )  
Plaintiff/Wife, )  
 )  
vs. )  
 )  
JEFFREY RYAN FENTON, )  
Defendant/Husband. )

RECEIVED BY  
Judges' Chambers  
Date: 8-6-19 *aw*

**EX PARTE ORDER OF PROTECTION EXTENDED PENDING FINAL HEARING AND ORDER GRANTING MOTION TO SELL MARITAL RESIDENCE BY AUCTION**

This matter came on to be heard on the 1st day of August, 2019, before the Honorable Michael W. Binkley, Judge holding Court for the Chancery Court of Williamson County, Tennessee, upon Motion to Sell the Marital Residence by Auction and upon Ex Parte Order of Protection. It appearing to the Court based upon arguments of counsel, exhibits introduced and the record as a whole that the following shall be the Order of this Court.

It is therefore **ORDERED, ADJUDGED and DECREED** that the parties have reached an agreement to extend the Ex Parte Order of Protection pending final hearing in this cause. Husband shall remain under the Ex Parte Order and is enjoined and restrained from contacting Wife for any reason or from coming about her person. The Ex Parte Order of Protection shall remain in full force and effect and is extended pending further Orders of this Court and the hearing date is waived. Wife likewise is enjoined and restrained from contacting Husband for any reason or from coming about his person.


The Motion to Sell the Marital Residence by Auction is granted and the same shall be auctioned within 45 days from the date of August 1, 2019. Counsel for Husband and Wife will select a professional auctioneer as soon as possible so that the auctioneer can visit the property and market the sale in a fashion to obtain the best price possible for the home. The auctioneer shall prepare the property and market it for sale with the intent to obtain the highest sales price and most



Wife was to complete the walk through and provide a list to Husband within 10 days from August 1, 2019. (Due by: 8/11/2019.) So I could sell my stuff to raise money to move, since the court evicted my roommates. This wasn't completed until 8/23/2019.

favorable terms possible in the parties' best interests. This property shall not be advertised as a desperation sell and the parties will rely on the auctioneer's recommendation, whether an estate sale or other means of marketing, to obtain a fair market price. The auction will be without reserve. Husband is enjoined and restrained from interfering with preparation of the home for auction, the auction or stalling the sale in any manner, either directly or indirectly. The attorneys for the parties will agree upon a date and time for Wife to walk through the home, since Wife has not been in the house since March 2018, to identify items of personal property and to inspect the premises. Wife will provide a list to Husband within ten (10) days from August 1, 2019, through their counsel, of the items of personal property that she would like to obtain and the parties will either agree upon the same or, if they cannot agree, then Wife may file a Motion with the Court to choose the items on her list. Husband will take such actions as necessary to move items of personal property that he would like to retain and tag, price or do whatever steps are necessary to sell the remaining items of personal property. The remaining items at the house that Husband does not take and Wife does not take shall be sold at auction. The net proceeds of the sale of the real property and the personal property shall be deposited into the Chancery Court Clerk's office and placed in an interest-bearing account on behalf of the parties. If either party needs funds from the equity prior to the Final Hearing in this cause or Agreed Order, then he or she may file a Motion with the Court to receive a portion of the funds which will be allocated against their respective share of the marital estate. Husband will notify his tenants to vacate the home on or before August 30, 2019.

All other matters are reserved pending further Orders of this Court.

ENTERED on this 14<sup>th</sup> day of August, 2019, NUNC PRO TUNC  
AUGUST 16, 2019. (NB)  


MICHAEL W. BINKLEY, JUDGE  
Michael W. Binkley  
Circuit Court Judge/Chancellor  
21st Judicial District, Division III


BACK BEFORE I UNDERSTOOD THE "APPROVED FOR ENTRY" PROCESS OF "PROPOSED" ORDERS VS. "AGREED ORDERS"

**APPROVED FOR ENTRY:**



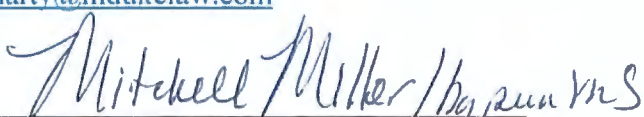
**VIRGINIA LEE STORY; BPR #11700**

Attorney for Plaintiff/Wife  
136 Fourth Avenue South  
Franklin, TN 37064  
(615) 790-1778  
[virginia@tnlaw.org](mailto:virginia@tnlaw.org)



**CHARLES M. DUKE; BPR #23607**

Attorney for Defendant/Husband  
LAW OFFICE OF CHARLES M. DUKE, LLC  
1200 Villa Place, Suite 201  
Nashville, TN 37212  
(615) 541-1842  
[marty@mdukelaw.com](mailto:marty@mdukelaw.com)

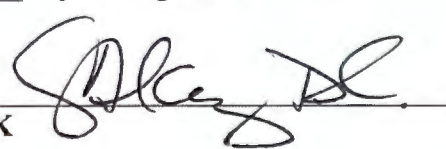


**MITCHELL MILLER; BPR #36126**

Attorney for Defendant/Husband  
SCHAFFER LAW FIRM, PLLC  
1200 Villa Place, Suite 200  
Nashville, TN 37212  
(615) 712-6394  
[mitchell@schaferlawfirmtn.com](mailto:mitchell@schaferlawfirmtn.com)

**CLERK'S CERTIFICATE OF SERVICE**

I certify that a true and exact copy of the foregoing was sent by email and/or first-class mail to Charles M. Duke and Mitchell Miller, Attorneys for Husband, and Virginia Lee Story, Attorney for Wife, at their respective addresses, on this 14 day of August, 2019.

  
CLERK



**LOCAL RULES OF PRACTICE  
TWENTY-FIRST JUDICIAL DISTRICT  
HICKMAN, LEWIS, PERRY AND WILLIAMSON COUNTIES**

---

**RULES OF THE CIRCUIT AND CHANCERY COURTS  
FOR THE TWENTY-FIRST JUDICIAL DISTRICT**

**Adopted Effective September 1, 2004  
As Amended Through September 1, 2017  
And Further Amended March 1, 2019**

**INTRODUCTION**

**JUDGES.** The 21<sup>st</sup> Judicial District embraces Hickman, Lewis, Perry, and Williamson Counties. All Judges of the 21<sup>st</sup> Judicial District have full civil and criminal jurisdiction therein and are assigned areas of responsibility by the Presiding Judge.

**CLERKS.** Each county within the District has a Circuit Court Clerk and a Clerk and Master with powers and duties prescribed by statute for such offices generally. The Clerk and Master is also clerk of the Probate Division of the Chancery Court.

**Rule 11. Orders and Judgments**

**Section 11.01 Preparation and Submission**

Unless the court directs otherwise, attorneys for prevailing parties will prepare proposed orders for entry by the court and shall file such proposed orders not more than seven (7) days following the day on which the ruling is made by the court. If the proposed order submitted reflects that it has been approved for entry by counsel for all parties, then the court will take action promptly to enter such proposed order, or, at the court's discretion, enter the court's own order with respect to the ruling. If the proposed order does not reflect that it has been approved for entry by counsel for all parties, then the court will take no action to enter such proposed order for seven (7) days after receipt of the proposed order to afford counsel for the opposing party to submit an alternative proposed order. If the opposing party submits an alternative proposed order, the court shall undertake promptly to enter either the original proposed order, the alternative proposed order, or the court's own order with respect to the ruling. All of the time periods in this section may, for good cause, be extended by the court.

A party's approval for entry of a proposed order, which does not by its express terms state that it is an agreed order, shall not be construed as anything other than the party's agreement that the proposed order accurately reflects the court's ruling on the particular matter and shall not be construed to imply that party's agreement with or consent to the ruling set out in the proposed order.

[Adopted Effective September 1, 2004; Amended Effective September 1, 2010; Further Amended December 1, 2014].



**7**

RECEIVED BY  
Judge  
Date 8-29-19  
Numbers

R.v3 (381-383)

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN

FAWN TIFFANY FENTON, )  
Plaintiff/Wife, )  
vs. )  
JEFFREY RYAN FENTON, )  
Defendant/Husband. )

2019 AUG 29 PM 2:34  
FILED FOR ENTRY 8-29-19

No. 48419B

ORDER FROM AUGUST 29, 2019 HEARING

EX PARTE ORDER OF PROTECTION EXTENDED PENDING FINAL HEARING, RESETTING MOTION FOR VIOLATION OF ORDER OF PROTECTION, WAIVING MEDIATION AND SETTING FINAL HEARING, ORDER TO VACATE AND ORDER ALLOWING WIFE TO SIGN ALL NECESSARY CONTRACTS TO COMPLETE THE SALE OF THE MARITAL HOME AND CLOSING

This matter came on to be heard on the 29th day of August, 2019 before the Honorable Michael W. Binkley, Judge holding Court for the Chancery Court of Williamson County, Tennessee, upon Wife's Motion for Violation of Ex Parte Order of Protection and for Date Certain for Walk Through of House and Motion for Scheduling Order. It appearing to the Court based upon arguments of counsel, statements of Husband representing himself Pro Se, and the record as

a whole that the following shall be the Order of this Court.

FYI... my opposing counsel (Virginia Story) WROTE this "Order". This does NOT match "the record as a whole". Please compare the 8/1 & 8/29 Transcripts!

It is therefore ORDERED, ADJUDGED and DECREED that the Husband was again

X advised of the risks of proceeding Pro Se and that he is required to comply with the rules just as No Choice! Court Deprived Husband of ALL HIS Assets & Income! Deemed "uncollectible" once house was gone! an attorney is required. Husband acknowledged that he understood and wishes to proceed Pro Se.

X The Motion for Violation of the Order of Protection will be continued pending further Orders of The "OP" meant NOTHING but LEVERAGE! ALL they wanted was MY HOUSE and ME OUT of it! the Court as Husband had filed a very lengthy response on the morning of the hearing being X The alleged "Order of Protection" was just used (and still is) for EXTORTION, to BIND and SILENCE me! August 29, 2019. The Motion for Violation of the Order of Protection will be reset with the Final

X Hearing in this cause set for October 21, 2019 at 9:00 a.m. The Motion for Scheduling Order and I understood the term "the Final Hearing in this cause" to be referring to the issues WE had DISCUSSED to date, to Waive Mediation in this cause is appropriate and the same is granted. the results of our Auction & "OP".

X AT NO TIME did I understand this to involve the END of our DIVORCE, as we hadn't even BEGUN DISCOVERY yet, which I spent over an hour on the phone with my last counsel to learn how to navigate myself. (Call is recorded as proof!) PLUS Attorney Story had granted my Counsel an EXTENTION (which I have evidence of) on filing the "Divorce Answer and Counter Complaint", so that she could focus on her primary agenda, which was TAKING MY HOUSE!



**SO much HORRIBLE FAITH, dishonesty, deceit, bullying, legal trickery, discrimination, bias, all GAMES with NO regard for JUSTICE, that ALL PLEADINGS must do SUBSTANTIAL JUSTICE, with NO RESPECT for ANY RULE OF LAW or my LIFE!**

The Ex Parte Order of Protection shall remain in full force pending further hearing in this cause set for October 21, 2019 at 9:00 a.m. The form "Order Extending Ex Parte/Temporary Order of Protection" shall be executed and forwarded to the appropriate authorities.

Husband signed the listing agreement for the martial home with the Auctioneer, **FORCED TO SIGN BY JUDGE BINKLEY, UNDER THE THREAT OF INCARCERATION, without even READING IT!** Mr. Tommy Anderson, on August 29, 2019. Wife shall be allowed to sign any further contracts Afterwards I NOTIFIED everyone, that I was FORCED to SIGN under DURESS. I Canceled the Listing: NULL & VOID! to effectuate the sale and closings of the property located at 1986 Sunnyside Drive, Franklin, TN YET Mr. Tommy Anderson said he was AUCTIONING MY HOME regardless! To do whatever I want! Unethical and illegal! 37069. Husband shall vacate the martial home on or before September 3, 2019 at 12:00 noon. The JUST FIVE-DAYS NOTICE!

Williamson County Sheriff's Office shall have a deputy on standby to ensure that Mr. Fenton is Actually 4-DEPUTIES with their hands on their GUNS, like I was a dangerous FELON! (NEVER arrested in my LIFE!) vacated and that he only takes with him his personal clothing, his jewelry and effects such as his toiletries and medication. Mr. Fenton shall not remove any further furnishings or personal property. Husband is admonished that he is under a Restraining Order pursuant to the Statutory

Injunction entered upon the filing of the Complaint for Divorce as of June 4, 2019. Mr. Fenton

filed a Notice with the Court to allow him to file pleadings Pro Se and in the pleadings filed with the Court he acknowledged that he had sold a TV gifted to his Wife from her brother for \$1,000 To CORRECT her "misunderstanding", in hopes of avoiding MORE theatrical FRAUD UPON THE COURT, to DISRUPT! and that he had sold a commercial dehumidifier which was at the marital residence for \$2,500. SHE smiled at me, LIED ANYWAY, to enrage the Judge, then WROTE THE FRAUD directly into the COURT RECORDS! These amounts will be accounted for at the Final Hearing and any other property sold will also be The next day, I saw the Court Order, I called the Court to try to correct. Emailed Ms. Story, then she LIED to me AGAIN! addressed at the Final Hearing. No further property will be removed by Mr. Fenton and he shall tag all items that he would like the Court to consider to be awarded to him. Any items that he does PURELY to FURTHER ABUSE me, "under color of law". That's when I lost ALL Respect for Ms. Story and her CRIMES! not wish to retain shall be sold at auction or Wife may retain. Pursuant to the Court Order, Wife ACTUALLY, according to the 8/1 Court Order, has tagged the items that she would request to be awarded when she conducted the walk through This was supposed to be completed by 8/11/2019, but WASN'T until 8/23/2019. Costing me a loss of thousands of dollars! pursuant to the Court Order from the August 1, 2019. (Order entered by Court on August 14, Because the Court had evicted my TENANTS, I had no money to MOVE, so the Court allowed me to SELL what was MINE. 2019.) The auction will take place pursuant to said Order of August 14, 2019 which is to be 45 But my Counsel strongly urged that I NOT SELL ANYTHING until AFTER the "10-Day Walk-through." Since it was done days from August 1, 2019 with all proceeds to be deposited into the Clerk's office.

So LATE, I had no TIME to SELL anything that was MINE, to fund my MOVE. When I returned, much had been STOLEN! "Court Orders" (and LAWS in general) were only WEAPONS they used against ME. Ms. Story showed NO CARE for either.




**R.v3 (381-383)**

All other matters are reserved pending further Orders of this Court.

ENTERED on this 29<sup>th</sup> day of August, 2019.

  
MICHAEL W. BINKLEY, JUDGE

**APPROVED FOR ENTRY:**

  
\_\_\_\_\_  
**VIRGINIA LEE STORY; BPR #11700**  
Attorney for Plaintiff/Wife  
136 Fourth Avenue South  
Franklin, TN 37064  
(615) 790-1778  
[virginia@tnlaw.org](mailto:virginia@tnlaw.org)

Michael W. Binkley  
Circuit Court Judge/Chancellor  
21st Judicial District, Division III

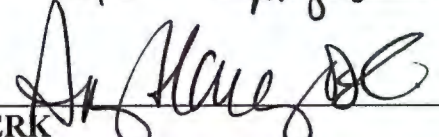
**CERTIFICATE OF SERVICE**

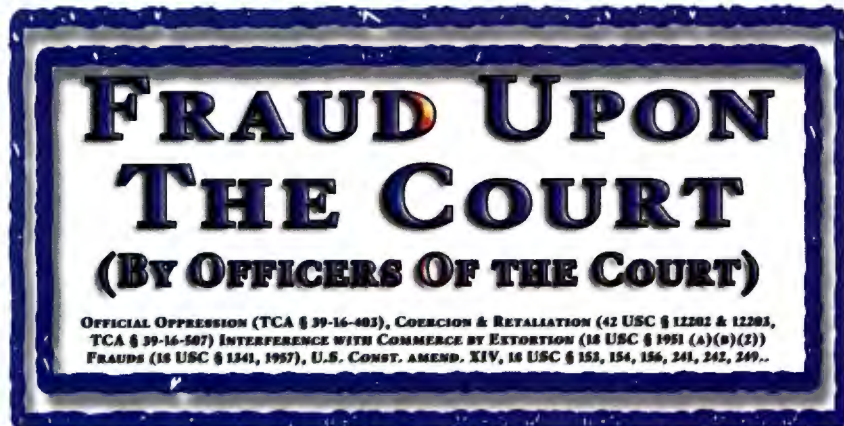
I certify that a true and exact copy of the foregoing was sent courtesy copy to Mr. Jeffrey Fenton, Defendant Pro Se, at 1986 Sunnyside Drive, Brentwood, TN 37027 on this 29<sup>th</sup> day of August, 2019.

  
\_\_\_\_\_  
VIRGINIA LEE STORY

**CLERK'S CERTIFICATE OF SERVICE**

I certify that a true and exact copy of the foregoing was sent courtesy copy to Mr. Jeffrey Fenton, Defendant Pro Se, at 1986 Sunnyside Drive, Brentwood, TN 37027, and to Virginia Lee Story, Attorney for Wife, at their respective addresses, on this 29 day of August, 2019.

  
\_\_\_\_\_  
CLERK





**LOCAL RULES OF PRACTICE  
TWENTY-FIRST JUDICIAL DISTRICT  
HICKMAN, LEWIS, PERRY AND WILLIAMSON COUNTIES**

**RULES OF THE CIRCUIT AND CHANCERY COURTS  
FOR THE TWENTY-FIRST JUDICIAL DISTRICT**

**Adopted Effective September 1, 2004  
As Amended Through September 1, 2017  
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**CLERKS.** Each county within the District has a Circuit Court Clerk and a Clerk and Master with powers and duties prescribed by statute for such offices generally. The Clerk and Master is also clerk of the Probate Division of the Chancery Court.

**PRO SE Parties are NOT Allowed to Participate in this "Proposed Order" / "Agreed Order" / "Alternate Proposed Order" Process, in the 21st Judicial District in Tennessee (though allowed in other Tennessee Judicial Districts). Which means that your highly skilled opposing counsel, who already has a tremendous advantage over most Pro Se litigants, literally gets to WRITE THE COURT ORDERS AGAINST YOU! (With little IF any Accountability or Supervision!) This is DISCRIMINATION against PRO SE and financially disadvantaged people as a matter of COURT POLICY! By the Court's own "LOCAL RULES OF PRACTICE"! This is completely inappropriate, fosters misconduct, and must be changed for the Court to ever claim to honestly be impartial!**

**Rule 11. Orders and Judgments**

**Section 11.01 Preparation and Submission**

Unless the court directs otherwise, attorneys for prevailing parties will prepare proposed orders for entry by the court and shall file such proposed orders not more than seven (7) days following the day on which the ruling is made by the court. If the proposed order submitted reflects that it has been approved for entry by counsel for all parties, then the court will take action promptly to enter such proposed order, or, at the court's discretion, enter the court's own order with respect to the ruling. If the proposed order does not reflect that it has been approved for entry by counsel for all parties, then the court will take no action to enter such proposed order for seven (7) days after receipt of the proposed order to afford counsel for the opposing party to submit an alternative proposed order. If the opposing party submits an alternative proposed order, the court shall undertake promptly to enter either the original proposed order, the alternative proposed order, or the court's own order with respect to the ruling. All of the time periods in this section may, for good cause, be extended by the court.

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[Adopted Effective September 1, 2004; Amended Effective September 1, 2010; Further Amended December 1, 2014].

8





# Story Abernathy & Campbell

PLLP | AN ASSOCIATION OF ATTORNEYS

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Neil Campbell  
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Kathryn L. Yarbrough  
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HISTORIC DOWNTOWN  
FRANKLIN, TENNESSEE  
136 Fourth Avenue South  
Franklin, TN 37064

OFFICE (615) 790-1778  
FAX (615) 790-7468

\*Licensed in Kentucky

September 16, 2019

*Via Email*

Mr. Jeffrey Fenton

Email: [REDACTED]

*Via First Class Mail*

[REDACTED]

Re: Fawn [REDACTED] Fenton vs. Jeffrey Ryan Fenton  
Williamson County Chancery Court No. 48419B

Dear Mr. Fenton:

Once Ms. Story obtained possession of my home, she reneged upon every commitment made during the 8/29/2019 hearing in Chancery Court.

My client was at the house over the weekend ~~and has indicated that you left the house in a mess despite you having known since August 1, 2019 that the property would be auctioned.~~ The costs for cleaning out the house and moving the items that you have tagged per the Court Order to storage will be in excess of \$2,000. Please send a check payable to Fawn Fenton noted for moving and clean up to my office address. I will provide you with each invoice so you have an accounting of actual costs.

Attorney Story said in Court on 8/29 that all expenses would be paid out of the proceeds from the auction (which hadn't even taken place yet).

If I do not receive a check from you in the amount of \$2,000 by **Friday, September 20, 2019**, we will have to **sell the remaining items in the house and then dispose of the items that cannot be sold.** Any proceeds from items sold will be deposited into the Clerk's office for distribution after payment of the costs.

This letter was dated and postmarked on 9/16/2019, while she is DEMANDING these funds by 9/20/2019, the day it reached Michigan.

As for the items you have tagged and for which you will send the \$2,000 advance by **Friday, September 20, 2019**, for the movers and clean up, please make the arrangements for a storage unit. This will need to be done by **Thursday, September 26, 2019**. Send me the name of the storage location and unit number with verification that the amount has been paid in advance so that when the movers arrive there are no snags.

Per Ms. Story's own fraudulent Ex Parte "Order of Protection", if I still had possession of my firearms, I would have GONE TO JAIL!

**Finally, we did not locate any guns in the house.** Please advise where they are located with the contact information or whether you have taken them with you to Michigan. If you have any guns in your possession, please provide an itemized list of all types, manufacturers, and models.

I see this being for absolutely NO reason other than BLOOD LUST! Wanting to forcefully TAKE and LIQUIDATE every single thing I owned!

Sincerely,

Virginia Lee Story  
Attorney at Law

cc: Ms. Fawn Fenton

**This is how abusive, heavy-handed, and bullying Attorney Virginia Lee Story treated me throughout every action in this mass deprivation of rights and property, without so much as HEARING my DEFENSE, while Judge Michael W. Binkley enabled and empowered her every cruel, savage, inhumane, and criminal actions. While neither showed any care for the Rule of Law, their Oaths of Office, either State or Federal Constitutions, the Judicial Canons, or the Rules of Professional Conduct! Ms. Story's actions are even in violation of BASIC INTERNATIONAL HUMANITARIAN LAWS!**

In Court on 8/29/2019 (transcripts hidden in R.v4 (pages 495-523), Ms. Story INSISTED that I leave my Personal Property, at the residence for FALSE, fraudulent, and unsubstantiated reasons. Now, under false claims, having only had FIVE-DAYS NOTICE of a wrongful eviction, that SHE INSISTED upon in Court on 8/29, as I tried to meet her OUTRAGEOUS DEMANDS that I TAG every item I wanted to KEEP (nearly EVERYTHING I OWNED, which is WHY I OWNED IT). As I tried to assist my elderly disabled roommate/tenant, who ended-up HOMELESS as a result of her demands during my 8/1/2019 hearing, illegally ignoring his leasehold RIGHTS! Now Ms. Story is insatiably trying to EXTORT thousands of Dollars from my meager elderly mother, knowing that Ms. Story already TOOK my INCOME, my SHELTER, my SAVINGS, leaving me BROKE, HOMELESS, and DESTITUTE!





# Story Abernathy & Campbell

PLLP | AN ASSOCIATION OF ATTORNEYS

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*Licensed in Kentucky*

September 26, 2019

**Via First Class Mail and E-Mail**

Mr. Jeffrey Fenton  
17195 Silver Parkway, #150  
Fenton, MI 48430  
[REDACTED]

Re: **Fawn [REDACTED] Fenton vs. Jeffrey Ryan Fenton**  
**Williamson County Chancery Court No. 48419B**

Dear Mr. Fenton:

**OH WOW!!! This just doesn't STOP! Judge Michael W. Binkley refused to perform his JUDICIAL DUTY to equality, impartiality, fairness, due process, mitigating loss, and stopping CRUEL MISCONDUCT by a FRIEND! (This was a DIVORCE, can I possibly LIVE through this?)**

To follow up on correspondence sent to you on September 16, 2019, we never received any information on a storage unit you would like to use to store the extensive list of items you wish to retain from the Sunnyside residence. Therefore, Ms. Fenton took it upon herself to obtain a quote from Fox Moving and Storing to have these items packed, moved and stored. **The quote is attached hereto.** As you can see, the cost for packing only your personal items (i.e. remaining clothing, photos, etc.) is \$639.00. The cost for moving the larger items and your personal items is \$2,895.00. This would include moving the items to Fox's storage facility in Nashville. The cost to store these items in their storage facility would be approximately \$495.00 per month. Finally, to have all of these items packed and moved to Michigan, the cost would be over \$6,000.00.

**At this point, it is our position that moving the items to Michigan is not financially responsible but that is up to you if you want to use any proceeds you received to have your items shipped. It is our position and that of Mr. Anderson's that the entire value of the remaining contents of the home is only approximately \$3,000.00, therefore the cost to move and store these items far outweighs their worth. However, if you would like for the items to be packed and stored in the Fox storage facility in Nashville then you will need to send a check to my office in the amount of \$3,534.00 no later than next Wednesday, October 2, 2019, made payable to Fawn Fenton and she will schedule the movers and the storage facility for one month until you decide if you want to have the items moved to Michigan. The only other option is to have the remaining property sold and any proceeds will be placed in the Clerk & Masters office for distribution at a later date. We will go ahead and file a Motion with the Court to sell or otherwise get rid of all remaining items in the home in the event that you do not agree to pay the cost for packing, moving and storing the items that you wish to retain.**

**Then it doesn't SOUND like you FORCED me to LEAVE my Personal Property behind so that you can SELL it for any quasi-legitimate reason, but rather just to CRUELY HARM the disabled and financially disadvantaged party, EVEN MORE! PURELY for the DOMINATING POWER-TRIP, and FUN! That's WORSE than being GREEDY! That is SICK and SADISTIC! (Yet there's more still to come...) Is there any INTEGRITY at all within the Williamson County Chancery Court??? I can't see HOW on EARTH this is remotely JUSTIFIABLE!**

williamsoncountyattorneys.com

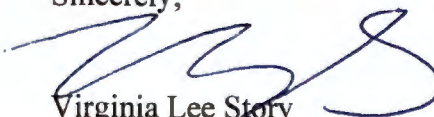
Rule 31 Family Law Mediator

Jeffrey Fenton  
September 26, 2019  
Page 2

Finally, you still have not disclosed where all of your guns are located. Please advise where they are located with the contact information or whether you have taken them with you to Michigan. If you have any guns in your possession, please provide an itemized list of all guns that you removed, manufacturers, and models.

I thank you in advance for your prompt response to these time sensitive matters.

Sincerely,



Virginia Lee Story  
Attorney at Law

Enclosure

cc: Ms. Fawn Fenton

**The most LAWLESS person I have ever met, on EITHER side of the LAW! Attorney Virginia Lee Story believes that I'll endlessly allow her to BULLY, ABUSE, ROB, RAPE, and TERRORIZE me and my family "under color of law"! SORRY! NO COURT OF LAW has the AUTHORITY or JURISDICTION for what you have DONE! EVERYTHING IS VOID IN #48419B and I'm pressing CRIMINAL CHARGES for at least a HALF-DOZEN State, Federal, and CONSTITUTIONAL FELONIES, which YOU committed along with the "help" of SEVERAL of your "FRIENDS"! You and Judge Michael W. Binkley can KILL me if you want, while the WHOLE WORLD WATCHES! I've already had extensive communications with the DOJ. I tracked down the same Nashville FBI "Special Agent" who Arrested Corrupt Nashville Judge Casey Moreland, after getting tired of being rejected by their call centers. You have MISJUDGED my courage! I will EXPOSE your crimes to every member of State and Federal Law Enforcement, local government, and Courts throughout the Country, until somebody cuts this CANCER out of the Williamson County Chancery Court! I know that I'm risking my own LIFE, but I'd rather die as a FREE man than live as your SLAVE! (Peaceful Protests!) I just hope the FBI/DOJ catches you in any further harm you try to cause me and my family, because I KNOW you will!**

JUDGE MICHAEL W. BINKLEY & ATTORNEY VIRGINIA LEE STORY vs JEFFREY RYAN FENTON  
WILLIAMSON COUNTY CHANCERY COURT | 08/29/2019 | #48419B | M2019-02059 | R.v4 (502:20 - 503:9)

20 MS. STORY: If he will tag the items that  
21 he wants, like my client tagged the items per your  
22 order, if he'll just put a tag on items he wants,  
23 we'll make sure that those get stored, and then we can  
24 use the proceeds from the sale. We're going to  
25 deposit those into the clerk's office. And we can use  
1 those to pay the next storage unit and then when he  
2 gets ready to come here and get his things, or maybe  
3 he wants to use some of his proceeds to have them  
4 shipped to him...

6 So I'm trying my best to be as  
7 accommodating to him...  
8 this is going to be a simple process for him.



9

Charles M. Walker  
U.S. Bankruptcy Judge  
Dated: 9/27/2019



IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:	)		
	)		
FAWN [REDACTED] FENTON	)	CHAPTER	13
[REDACTED]	)	CASE NO:	19-02693
BRENTWOOD, TN 37027	)	JUDGE	WALKER
SSN: XXX-XX-2065	)		
	)		
DEBTOR	)		

**ORDER GRANTING EXPEDITED MOTION TO SELL REAL ESTATE AND PERSONAL PROPERTY**

This matter came before the Court on September 25, 2019 upon the Debtor’s Expedited Motion to Sell Real Estate and Personal Property with notice given to all parties pursuant to Local Rule 9075-1. There being no objections raised at the call of the docket, the Motion is found to be well taken and it is therefore ORDERED as follows:

Debtor shall be allowed to sell real property located at 1986 Sunnyside Drive, Brentwood, Tennessee and items of personal property remaining in the house at auction pursuant to an Order Granting Motion to Sell Marital Residence by Auction entered in the Chancery Court for Williamson County, Tennessee on August 6, 2019 . The Debtor will sell the real estate under Section 363(f)(3) subject to the liens of Bank of America, N.A. and Bancorp South. This transaction shall be conditioned on the Debtor providing the auction report to the Trustee once the sale has taken place. All net proceeds from the sale of the property shall be deposited into the Chancery Court Clerk’s Office and placed in an interest bearing account on behalf of the parties pending further orders of the Chancery Court for Williamson County, Tennessee.

IT IS SO ORDERED.

*THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THE FIRST PAGE.*

10



**Jeff Fenton**

---

**From:** Tommy Anderson <tom@tommyanderson.us>  
**Sent:** Wednesday, October 2, 2019 3:01 PM  
**To:** Jeff Fenton; Fawn Fenton; Virginia Story  
**Subject:** 1986 Sunny Side

Jeff,

Curious if you are in Tennessee gathering your personal property this week.

Sincerely,

Tommy Anderson

***Tommy Anderson, Broker/Realtor/Auctioneer***  
***-HND Realty***  
**[www.HNDREALTY.COM](http://www.HNDREALTY.COM)**  
***(615) 969-5819***

## Jeff Fenton

---

**From:** [Virginia Story](mailto:virginia@tnlaw.org) <virginia@tnlaw.org>  
**Sent:** Friday, October 4, 2019 2:14 PM  
**To:** Jeff Fenton  
**Cc:** Heidi Macy; Kathryn Yarbrough; Tommy Anderson  
**Subject:** RE: Fenton v. Fenton

**Categories:** 5-Email: Present to Court

Jeff,

Please make sure that you have vacated the property by 10/5/19 at 12 noon with only the belongings that you listed to remove.

Thanks,  
Virginia



Virginia Lee Story  
Attorney at Law  
136 Fourth Avenue South  
Franklin, TN 37064  
(615) 790-1778  
(615) 790-7468 fax  
[Virginia@tnlaw.org](mailto:Virginia@tnlaw.org)

*\*\*Note\*\* This e-mail contains PRIVILEGED and CONFIDENTIAL information intended only for the use of the specific individual or entity named above. If you or your employer is not the intended recipient of this e-mail, or an employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any unauthorized dissemination or copying of this e-mail or the information contained in it is strictly prohibited. If you have received this e-mail in error, please immediately notify the person named above at once by telephone. Thank you.*

**From:** Jeff Fenton  
**Sent:** Saturday, September 28, 2019 1:52 PM  
**To:** Virginia Story <virginia@tnlaw.org>; elaine.beeler@tncourts.gov  
**Cc:** Heidi Macy <Heidi@tnlaw.org>; Kathryn Yarbrough <kyarbrough@tnlaw.org>  
**Subject:** RE: Fenton v. Fenton  
**Importance:** High

Hello Ms. Story,

**YES!**

**Jeff Fenton**

---

**From:** Tommy Anderson <tom@tommyanderson.us>  
**Sent:** Saturday, October 5, 2019 5:15 PM  
**To:** Virginia Story  
**Cc:** Jeff Fenton; Heidi Macy; Kathryn Yarbrough  
**Subject:** Re: Fenton v. Fenton

Jeff,

Checking in to see if you will be vacated 1986 Sunny Side by 5pm today Saturday October 5, 2019.

Sincerely,

Tommy Anderson

On Friday, October 4, 2019, Virginia Story <virginia@tnlaw.org> wrote:

Jeff,

Please make sure that you have vacated the property by 10/5/19 at 12 noon with only the belongings that you listed to remove.

Thanks,

Virginia



*Virginia Lee Story*

*Attorney at Law*

136 Fourth Avenue South

Franklin, TN 37064

(615) 790-1778



## Jeff Fenton

---

**From:** Tommy Anderson <tom@tommyanderson.us>  
**Sent:** Sunday, October 6, 2019 12:24 PM  
**To:** Virginia Story  
**Cc:** Jeff Fenton; Heidi Macy; Kathryn Yarbrough  
**Subject:** Re: Fenton v. Fenton

Jeff my friend,

I will be coming by today after my son's bball game. I hope to see you gone by then, or other measures, not to your liking will be enforced. Time to move on.

Tommy Anderson

On Friday, October 4, 2019, Virginia Story <virginia@tnlaw.org> wrote:

Jeff,

Please make sure that you have vacated the property by 10/5/19 at 12 noon with only the belongings that you listed to remove.

Thanks,

Virginia



## Jeff Fenton

---

**From:** [Tommy Anderson <tom@tommyanderson.us>](mailto:tom@tommyanderson.us)  
**Sent:** Sunday, October 6, 2019 1:54 PM  
**To:** Virginia Story  
**Cc:** Jeff Fenton; Heidi Macy; Kathryn Yarbrough  
**Subject:** Re: Fenton v. Fenton

**Categories:** 5-Email: Present to Court

Jeff will be out by tonight. I just went by & met him & his mother at Sunny Side.

Tommy

On Sunday, October 6, 2019, [Tommy Anderson <tom@tommyanderson.us>](mailto:tom@tommyanderson.us) wrote:

Jeff my friend,

I will be coming by today after my son's bball game. I hope to see you gone by then, or other measures, not to your liking will be enforced. Time to move on.

Tommy Anderson

**Jeff Fenton**

**From:** Tommy Anderson <tom@tommyanderson.us>  
**Sent:** Sunday, October 6, 2019 6:35 PM  
**To:** Virginia Story  
**Cc:** Jeff Fenton; Heidi Macy; Kathryn Yarbrough  
**Subject:** Re: Fenton v. Fenton

THE CLOSING FOR OUR HOME WASN'T FOR THREE MORE WEEKS, ON 10/29/2019, SO WHY WERE WE BULLIED SO MUCH? ATTORNEY STORY HAD NO LEGAL AUTHORITY! THEY HAD MONTHS WITH THE HOUSE BY THEMSELVES (WHILE MY STUFF WAS STOLEN)! WHY WAS I ONLY ALLOWED 5-DAYS WITH MY ELDERLY MOTHER TO BOTH PACK AND MOVE MY 2,500 SQFT HOME? WHO MADE STORY GOD? AND THE AUCTIONEER HER ENFORCER, I PAID? A GANG OF LAWLESS THIEVES & THUGS!

Thank you Jeff for leaving with your possessions today. We drove by & you were headed out the driveway.

Sincerely,  
 Tommy Anderson

*Mail*

*Fenton*

**THIS INSTRUMENT WAS PREPARED BY**  
 Bankers Title & Escrow Corp.  
 5107 Maryland Way, Ste. 115  
 Brentwood, TN 37027  
 P19-10267A-BW

**STATE OF TENNESSEE**  
 COUNTY OF Williamson

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$ 324,368.00

*Virginia Story*  
 Attorney

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 29 DAY OF October 2019

*Samuel F. Anderson*  
 Notary Public

MY COMMISSION EXPIRES: 11/3/20  
 (AFFIX SEAL)

**WARRANTY DEED**

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
<b>GL Properties, LLC</b>	<b>GL Properties, LLC</b>	
<b>1986 Sunnyside Drive</b>	<b>101 Creekside Crossing #1700195</b>	<b>0131-A-035.00-000</b>
<b>Brentwood, TN 37027</b>	<b>Brentwood, TN 37027</b>	
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	



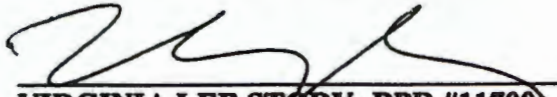
**11**



**NOT ONE** legal, lawful, honest, honorable, equal, equitable, fair, impartial, good-faith, or humane action took place between EITHER the Williamson County Chancery Court in Docket #48419B, OR the United States Bankruptcy Court for the Middle District of Tennessee in Case 3:19-bk-02693. **NOT ONE!**

  
MICHAEL W. BINKLEY, JUDGE

**APPROVED FOR ENTRY:**

  
VIRGINIA LEE STORY; BPR #11700  
Attorney for Wife  
136 Fourth Avenue South  
Franklin, TN 37064  
(615) 790-1778  
[virginia@tnlaw.org](mailto:virginia@tnlaw.org)

Unknown to me, and undisclosed by any party, my abusive, vexatious, unethical, opposing counsel, Attorney Virginia Lee Story (I believe the "mastermind" of this entire scam), is a close "FAMILY FRIEND" and vacationing/partying buddy of Presiding Judge Michael W. Binkley. Repeatedly exposed by the Tennessean Newspaper and admitted, while claiming their friendship does not jeopardize impartiality.

This NEGLIGENTLY DENIES the LAWS of HUMANITY, where the KNOWN and TRUSTED PARTY will always have an advantage over the UNKNOWN PARTY!

SEE: <https://www.facebook.com/judgebinkley> to discover the tip of the iceberg!

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing was forwarded via U.S. first-class mail and email to:

Mr. Jeffrey Fenton  
17195 Silver Parkway, #150  
Fenton, MI 48430

on this the 10 day of October, 2019.

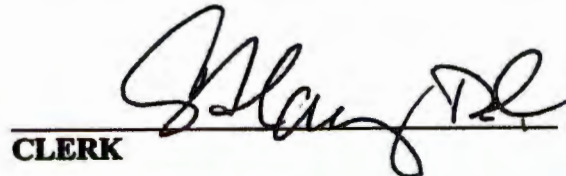
  
VIRGINIA LEE STORY

**CLERK'S CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing was forwarded via U.S. first-class mail and email to:

Mr. Jeffrey Fenton  
17195 Silver Parkway, #150  
Fenton, MI 48430

on this the 10 day of October, 2019.

  
CLERK

There went **\$250,000** of OUR EQUITY, our life's savings, our premarital retirement funds, and the proceeds of a **DECADE** of MY HARD and painstaking LABOR! As of the DAY the ILLEGALLY FORCED AUCTION took place! While the property has appreciated roughly **\$100k per YEAR** since! It was worth **\$800k in 2022**, while we only owed **\$300k** on the mortgages! Yet the Court and Counsel left us without a **PENNY** toward our relocation, survival, or retirement! **ABSOLUTELY NOTHING!**

**PARTIES LIKELY INVOLVED IN CRIMES & MISCONDUCT IN THIS CASE: 2-Judges, 7-Attorneys, 2-Paralegals, and 2-Brokers (to START).**

**ENDING with the Involvement, Discrimination, Collusion, Conspiracy, and/or the Refusal to Assist by a Total of 5-Judges, 11-Attorneys, 2-Paralegals, and 2-Brokers. While you can add a USTP Trial Attorney to that also now, who threatened that my ex-wife will be in danger, if I expose all these POWERFUL CRIMINALS, who are committing crimes against humanity!**



**12**

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN

FAWN ██████████ FENTON, )  
Plaintiff/Wife, )  
vs. )  
JEFFREY RYAN FENTON, )  
Defendant/Husband. )

2019 OCT 21 PM 3:58

FILED FOR ENTRY \_\_\_\_\_

No. 48419B

**AFFIDAVIT OF VIRGINIA LEE STORY**

RECEIVED BY  
Judges' Chambers  
Date: 10-22-19 *dlw*

STATE OF TENNESSEE )  
COUNTY OF WILLIAMSON )

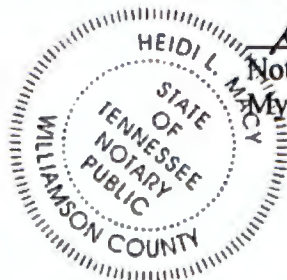
Comes now, Virginia Lee Story, attorney of record for the Petitioner, and after being first duly sworn, states as follows:

1. I am over 18 years of age and have personal knowledge of the following facts.
2. At the August 29, 2019 hearing in this matter, the Court set this matter for final hearing on October 21, 2019 in open Court with Mr. Jeffrey Fenton present in the courtroom.
3. Since the August 29, 2019 hearing, Mr. Fenton relocated to Michigan.
4. In his handwritten note, he stated that he does not want to contest the divorce and that he does not wish to communicate with Virginia Story or anyone from her firm, ever again. He states that he will never be in Tennessee again. See attached Exhibit 1.

FURTHER AFFIANT SAITH NOT.

*[Handwritten Signature]*  
\_\_\_\_\_  
VIRGINIA LEE STORY

SWORN to and subscribed before me this 21<sup>st</sup> day of October, 2019.



*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 6-19-22

MY LOVE!!!

Fawn,

2019 OCT 21 PM 3:58

FILED FOR ENTRY

MY REGRET!

Thank you so much for leaving the picture here for me (your painting). It is out of no anger or resentment that I leave it behind, I just can't keep it out of intense sadness of losing YOU!

I treasure it more than anything! But must be

MY PRAYER!

I hope you will keep it, and find that part of yourself again. That happy, simple playful place.

I also can't keep my wedding ring, so you are no longer bound to that part. I just can't. It would kill me. I buried mine back where our little friends used to live. Not one came to visit during my stay here, which broke my heart.

ELECTRONICS TOYS & GIFTS

The blue ray was from Mack, the gas mask has your name on it and was sized for you, the monopod you asked for.

EXHIBIT

1



I am so sorry things ended this way,  
but I can never speak with you again. To  
protect my heart, not out of anger or resentment

**MY HOPE!**  
BECAUSE MS. STORY  
LITERALLY TERRORIZED  
AND ABUSED ME BEYOND  
BENEFIT TO ANYONE!

I will never communicate with Virginia  
Story or anyone from her firm, ever again.  
Regardless of the consequences.

**MY OFFER:**  
IF, and ONLY IF THE  
TERMS OF MY OFFER ARE  
ACCEPTED. BUT MS. STORY  
STEALS EVERYTHING, WHILE  
SECRETLY DENYING MY TERMS!

If she will drop all charges and never  
contact me again, then I will likewise  
drop my 250 page counter motion set  
for October 21<sup>ST</sup>.

**MY TERMS:**  
REQUIRED CONDITIONS.  
A VERY GENEROUS OFFER,  
BUT THEY ALWAYS WANT  
TO TAKE MORE BY FORCE!

I will mail you the free simple  
divorce papers signed - and as long as  
no lawyers are involved, we each walk with  
what we have, assets + debts, and no  
alimony etc... due either ever. only if we  
finish non-contested together without a lawyer

WIFE HAS ALWAYS KNOWN THIS! THE "DANGER GAME" IS JUST LEVERAGE, TO GET THE POLICE TO HELP, AS THEY COMMIT A CRIME!

as we promised each other.

I would and will never hurt you or those you love in any way. Despite what they cost me.

I will always love you! I leave only with tremendous sadness, nothing more.

I OFFERED: TO LET HER GET AWAY WITH EVERYTHING! BUT HER OWN GREEDY LAWYER PUTS HER AT RISK SIMPLY FOR THE THRILL OF DOMINATING AND ABUSING ME MORE! WHEN IS ENOUGH, ENOUGH???

If Ms. Story tries to use any of this against me, I will dedicate my life to fighting and appeal this to state court where the sake of our home will be found and proven to be against state laws. If I never hear from Ms Story or her staff or court, then I'm done, and I surrender all. I will always love you! I'm so sorry! JM



Please don't sell or discard any of this  
(except gas mask & flower vase if you want.)

It was all worth MORE THAN MONEY.

or it wouldn't be sitting here

It is my kiss on the  
cheek goodbye!

kiss and hug put  
puppy for me

Non-Contested, No Joint Assets or Debts,

Divorce papers to be mailed to you  
within 2 weeks. It might take  
me a week to get to MI and  
unpack this crap.

MY TERMS REPEATED:  
TO MAKE ABSOLUTELY SURE  
THERE WERE NO MISUNDERSTANDINGS,  
QUESTIONS, OR CONFUSION, WHICH COULD FORCE  
US BOTH THROUGH MORE TOTALLY UNNECESSARY PAIN!  
WITHOUT BENEFIT TO ANYONE, EXCEPT FOR TO A SADIST!

MORE  
TOTALLY UNNECESSARY  
PEACEFUL REASSURANCE,  
TO REMOVE ANY POSSIBLE  
LINGERING THOUGHT, EVEN IF  
FROM HER OWN FAKE STORY!

I will never be in Tennessee  
again. You never have ANYTHING  
TO FEAR FROM ME!

Goodbye FAWN!  
Love,





FAWN ██████████ FENTON vs JEFFREY RYAN FENTON  
08/29/2019

DESPITE MS. STORY'S PROMISE IN COURT ON 8/29/2019, TO HOLD COURT OVER THE PHONE - THEY REFUSED WITHOUT NOTICE!

1 MS. STORY: Since he probably will be  
2 moving to Michigan, I would be amenable to him  
3 attending the final hearing by telephone if he doesn't  
4 want to drive back. And I can tell you, I will try to  
5 accommodate him in any way I can.

6 THE COURT: ~~I know you will. You already~~  
7 ~~have.~~

8 MS. STORY: And, also, the order probably  
9 needs to say that Ms. Fenton can execute any other  
10 documents that need to be executed because he might  
11 not be here to sign anything, that Mr. Anderson might  
12 need signed. So I would like to be able to put that  
13 in the Order.

14 THE COURT: All right. Then if you'll  
15 prepare the Order, that'll take care of us. That's  
16 what we're doing. That's the Order of the Court.  
17 Thank you very much.

18 (Proceedings were adjourned at 11:44 a.m.)  
19  
20  
21  
22  
23  
24  
25

**2019-10-07 GIFTS LEFT AT OUR HOME FOR MS. FENTON WITH NOTE**





[REDACTED]

---

**From:** Tommy Anderson <tom@tommyanderson.us>  
**Sent:** Wednesday, October 9, 2019 6:42 PM  
**To:** Jeff Fenton  
**Subject:** Re: Closing | Utilities | Fully-Executed Settlement Statement  
**Attachments:** image001.gif

Yes Fawn received all electronics and got them in her possession. I will have title company send you everything upon closing completion.

Sincerely,  
Tommy Anderson

On Wed, Oct 9, 2019, 5:38 PM Jeff Fenton <[jeff.fenton@live.com](mailto:jeff.fenton@live.com)> wrote:

Hello Tommy,

Please let me know once the closing is completed, so that I can disconnect the utilities. They are all currently being billed to me, on my credit, and I need to minimize accruing debt, especially with zero proceeds from the sale, with which to pay any of my debts or expenses, while remaining unemployed.

Also, did you inform Fawn about the TV and Camera equipment at the house for her? Do you know if she has obtained that yet, or what her plan is? (I just want to ensure that Fawn gets the equipment, rather than the new buyer... he already got a good enough deal!)

Finally, I would like a scan of the fully executed HUD-1, emailed to me please, upon closing.

Thank you, sir.

Jeff Fenton  
1986 Sunnyside Drive  
Brentwood, TN 37027



## Tenn. R. Sup. Ct. 1.0

### Rule 1.0 - TERMINOLOGY

- (a) "Belief" or "believes" denotes that the person involved actually supposed the fact in question to be true. A person's belief may be inferred from circumstances.
- (b) "Confirmed in writing," when used in reference to the informed consent of a person, denotes informed consent that is given in writing by the person or a writing that a lawyer promptly transmits to the person confirming an oral informed consent. See paragraph (e) for the definition of "informed consent." If it is not feasible to obtain or transmit the writing at the time the person gives informed consent, then the lawyer must obtain or transmit it within a reasonable time thereafter.
- (c) "Firm" or "law firm" denotes a lawyer or lawyers in a law partnership, professional corporation, sole proprietorship or other association authorized to practice law; or lawyers employed in a legal services organization or the legal department of a corporation, government agency, or other organization.
- (d) "Fraud" or "fraudulent" denotes an intentionally false or misleading statement of material fact, an intentional omission from a statement of fact of such additional information as would be necessary to make the statements made not materially misleading, and such other conduct by a person intended to deceive a person or tribunal with respect to a material issue in a proceeding or other matter.
- (e) "Informed consent" denotes the agreement by a person to a proposed course of conduct after the lawyer has communicated adequate information and explanation about the material risks of and reasonably available alternatives to the proposed course of conduct.
- (f) "Knowingly," "known," or "knows" denotes actual awareness of the fact in question. A person's knowledge may be inferred from circumstances.
- (g) "Partner" denotes a partner in a law firm organized as a partnership or professional limited liability partnership, a shareholder in a law firm organized as a professional corporation, a member in a law firm organized as a professional limited liability company, or a sole practitioner who employs other lawyers or nonlawyers in connection with his or her practice.
- (h) "Reasonable" or "reasonably," when used in relation to conduct by a lawyer, denotes the conduct of a reasonably prudent and competent lawyer.
- (i) "Reasonable belief" or "reasonably believes" when used in reference to a lawyer, denotes that the lawyer believes the matter in question and that the circumstances are such that the belief is reasonable.
- (j) "Reasonably should know," when used in reference to a lawyer, denotes that a lawyer of reasonable prudence and competence would ascertain the matter in question.
- (k) "Screening" and "screened" denote the isolation of a lawyer from any participation in a matter through the timely imposition of procedures within a firm that are reasonably adequate under the circumstances to protect information that the isolated lawyer is obligated to protect under these Rules or other law.
- (l) "Substantial" or "substantially," when used in reference to degree or extent, denotes a material matter of clear and weighty importance.



### Tenn. R. Sup. Ct. 3.3

#### Rule 3.3 - Candor Toward the Tribunal

**BY LAW, any STATEMENTS or AFFIDAVITS written by a Lawyer, especially in an EX PARTE HEARING against a PRO SE LITIGANT, which FAILS to include ALL the MATERIAL FACTS KNOWN TO THE LAWYER, that will enable the tribunal to make an informed decision, whether or not the facts are adverse, constitute "FRAUD UPON THE COURT, BY OFFICER(S) OF THE COURT!"**

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal; or

(2) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or

(3) in an ex parte proceeding, fail to inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse.

(b) A lawyer shall not offer evidence the lawyer knows to be false, except that a lawyer who represents a defendant in a criminal proceeding, and who has been denied permission to withdraw from the defendant's representation after compliance with paragraph (f), may allow the client to testify by way of an undirected narrative or take such other action as is necessary to honor the defendant's constitutional rights in connection with the proceeding.

(c) A lawyer shall not affirm the validity of, or otherwise use, any evidence the lawyer knows to be false.

(d) A lawyer may refuse to offer or use evidence, other than the testimony of a client who is a defendant in a criminal matter, that the lawyer reasonably believes is false, misleading, fraudulent or illegally obtained.

(e) If a lawyer knows that the lawyer's client intends to perpetrate a fraud upon the tribunal or otherwise commit an offense against the administration of justice in connection with the proceeding, including improper conduct toward a juror or a member of the jury pool, or comes to know, prior to the conclusion of the proceeding, that the client has, during the course of the lawyer's representation, perpetrated such a crime or fraud, the lawyer shall advise the client to refrain from, or to disclose or otherwise rectify, the crime or fraud and shall discuss with the client the consequences of the client's failure to do so.

(f) If a lawyer, after discussion with the client as required by paragraph (e), knows that the client still intends to perpetrate the crime or fraud, or refuses or is unable to disclose or otherwise rectify the crime or fraud, the lawyer shall seek permission of the tribunal to withdraw from the representation of the client and shall inform the tribunal, without further disclosure of information protected by RPC 1.6, that the lawyer's request to withdraw is required by the Rules of Professional Conduct.

(g) A lawyer who, prior to conclusion of the proceeding, comes to know that the lawyer has offered false tangible or documentary evidence shall withdraw or disaffirm such evidence without further disclosure of information protected by RPC 1.6.

(h) A lawyer who, prior to the conclusion of the proceeding, comes to know that a person other than the client has perpetrated a fraud upon the tribunal or otherwise committed an offense against the administration of justice in connection with the proceeding, and in which the lawyer's client was not implicated, shall promptly report the improper conduct to the



**13**



IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN

FAWN [REDACTED] FENTON,  
Plaintiff/Wife,

vs.

JEFFREY RYAN FENTON,  
Defendant/Husband.

)  
)  
)  
)  
)  
)  
)

No. 48419B

2019 OCT 21 PM 3:56

FILED FOR ENTRY 10/28/19

RECEIVED BY  
Judges' Chambers  
Date: 10-22-19 [Signature]

**FINAL DECREE OF DIVORCE**

THIS CAUSE came on to be heard on the 21<sup>st</sup> day of October, 2019 before the Honorable Michael W. Binkley, Judge, holding Court for the Chancery Court for Williamson County, Tennessee, upon the Complaint for Divorce filed by Wife on June 4, 2019 of which Husband was served on June 20, 2019. Husband has not filed an Answer and has had two attorneys both of whom have withdrawn. The last attorneys, Marty Duke and Mitchell Miller, withdrew on August 29, 2019 while Mr. Fenton was in open Court and Mr. Fenton stated that he wished to proceed *Pro Se*. The Court informed Mr. Fenton of self-representation and Mr. Fenton confirmed that this is how he wished to proceed. The Court set a Final Hearing date in the Order entered on August 29, 2019. The Court finds, based upon the undisputed testimony of Wife, a witness for Wife as to the grounds for the divorce, the exhibits introduced in this cause, and the record as a whole, that the following shall be the Order of this Court.

It is therefore ORDERED, ADJUDGED and DECREED that the Wife, FAWN [REDACTED] FENTON, shall be granted an absolute divorce on the grounds of inappropriate conduct. The parties' real property located at 1986 Sunnyside Drive, Brentwood, TN 37027 has a contract pending for sale. Attached is the closing statement and print out from the Bankruptcy Court as to the outstanding debt (Exhibit 1). There are no proceeds remaining to disburse. If for any reason the property does not close under the current contract, then Wife shall be granted all

**WE HAD NOT EVEN BEGUN DISCOVERY YET! MS. STORY HAD GRANTED EXTENSIONS BY AGREEMENT BETWEEN ATTORNEYS FOR DIVORCE ANSWER & COUNTER COMPLAINT TO BE DUE - WHILE SHE PRIORITIZED THE FORCED DEPRIVATION OF MY HOME, AUCTIONING MY BEAUTIFUL \$500K BRENTWOOD HOME FOR \$0! RENDERING ME HOMELESS! FORCED TO RELOCATE TO SURVIVE!**

right, title and interest in and to said real property and shall take all necessary steps to ensure that Husband's name is not associated with the property or the debt. Wife may sign any and all documents to close the property if a subsequent buyer is obtained and any proceeds shall be awarded to Wife free and clear of claims of Husband. The parties have divided all personal property. Each party is awarded all personal property in their respective possession. Wife is in Bankruptcy which addresses her debt allocation and she will be responsible for all her indebtedness holding Husband harmless for the same.

It is further **ORDERED, ADJUDGED and DECREED** that Wife shall be solely responsible for all indebtedness in her name or incurred by her including her Bankruptcy. Husband shall be solely responsible for any and all debts in his name or that he has incurred holding Wife harmless for same. If Husband does not pay the creditors and they seek payments from Wife and she is forced to pay the same, then Wife shall be awarded a Judgment for any amounts she has to pay for which execution may issue.

Additionally, neither party shall contract any indebtedness on the credit of the other from and after the date of execution of this Agreement.

It is further **ORDERED, ADJUDGED and DECREED** that each party shall be awarded any banking, investment or retirement accounts in their respective names free and clear from the other party. All joint accounts have been closed. All right, title and interest of either party in and to any account or account balance awarded to the other party shall be, and is hereby, divested out of that party and vested absolutely in the other party.

It is further **ORDERED, ADJUDGED and DECREED** that the parties will file 2016 and 2019 taxes separately. Each party shall assume sole and separate responsibility for paying any taxes, penalties and/or interest which may hereafter be finally determined to be due as a result of



income earned and/or received by that party or losses or deductions taken with respect to that party's income during any year for which the parties file, or have filed, joint income tax returns. Further, each party shall hold the other party harmless from any liability for such incomes taxes, penalties and/or interest as may hereinafter be finally determined to be due as a result of that party's misreporting of previous income.

It is further **ORDERED, ADJUDGED and DECREED** that Wife shall be awarded the 2017 Toyota Prius (VIN: [REDACTED]) titled in Wife's name free and clear of any claim by Husband. All right, title, and interest of Husband in and to said vehicle shall be, and is hereby, divested out of him and vested absolutely in Wife. Wife shall be, and is hereby, solely and separately responsible for any debt or liability associated with this vehicle as of the date of execution of this Agreement and shall indemnify and hold Husband harmless therefor. Each party shall be responsible for their own car expenses and insurance.

Husband shall be awarded the 2003 Buick LeSabre (VIN: [REDACTED]) titled in Husband's name free and clear of any claim by Wife. All right, title and interest of Wife in and to said vehicle shall be, and is hereby, divested out of her and vested absolutely in Husband. Husband shall be, and is hereby, solely and separately responsible for any debt or liability associated with this vehicle as of the date of execution of this Agreement and shall indemnify and hold Wife harmless therefor. Husband shall be responsible for liability insurance on the 2003 Buick LeSabre and further agrees to remove Wife's name from any insurance policy regarding the same.


It is further **ORDERED, ADJUDGED and DECREED** that Wife is awarded a Judgment against Husband for all court costs incurred for which execution may issue. Attorney for Wife shall file her Affidavit for the Court of the communication from Husband that he did not wish to



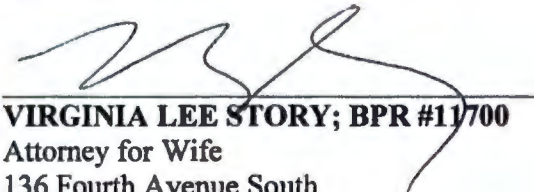
IT IS COMPLETELY UNREASONABLE TO VIEW MY NOTE LEFT WIFE AND CONCLUDE I FORFEIT CASE - WITHOUT ACTIONS BEING DROPPED, AS IS CLEARLY STATED! ALSO THAT I WOULD FILE A 250-PAGE RESPONSE TO BE HEARD! 18 U.S.C. § 242 - Deprivation of Rights Under Color of Law, 18 U.S.C. § 241 - Conspiracy Against Rights, 18 U.S.C. Chapter 96—Racketeer Influenced and Corrupt Organizations, 42 U.S.C. § 3631 - Criminal Interference with Right to Fair Housing, 42 U.S.C. § 14141 - Pattern and Practice

contest the divorce and that he was present in Court on August 29, 2019 when the Final Hearing was set to be heard.

ENTERED this 24<sup>th</sup> day of October, 2019.

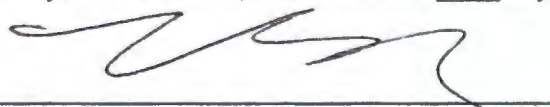
  
MICHAEL W. BINKLEY, JUDGE  
Michael W. Binkley  
Circuit Court Judge/Chancellor  
21st Judicial District, Division III

**APPROVED FOR ENTRY:**

  
VIRGINIA LEE STORY; BPR #11700  
Attorney for Wife  
136 Fourth Avenue South  
Franklin, TN 37064  
(615) 790-1778  
[virginia@tnlaw.org](mailto:virginia@tnlaw.org)

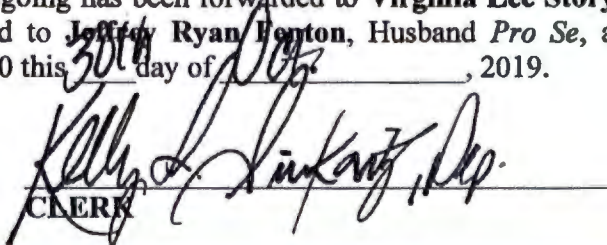
**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been forwarded via U.S. mail to Jeffrey Ryan Fenton, Husband *Pro Se*, at 17195 Silver Parkway, #150, Fenton, MI 48430 this 21<sup>st</sup> day of October, 2019.

  
VIRGINIA LEE STORY

**CLERK'S CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been forwarded to Virginia Lee Story, Attorney for Wife, at the above address, and to Jeffrey Ryan Fenton, Husband *Pro Se*, at 17195 Silver Parkway, #150, Fenton, MI 48430 this 30<sup>th</sup> day of Oct, 2019.

  
CLERK

**TAKING MY HOME without DUE PROCESS! Chasing me out with the WCSO! Leaving me without food or shelter! Denying my 250-PAGES of TESTIMONY with CLEAR PROOF the CHARGES were ALL FRAUDULENT! WHILE \$10k of my PERSONAL PROPERTY WAS STOLEN! As they Ordered a FRAUDULENT "OP" Against ME! BREAKING EVERY SINGLE OATH OF OFFICE - I've NEVER even been ARRESTED! NO NOTICE or WARNING! NO "MOTION FOR DEFAULT JUDGMENT"! OUTRAGEOUS!**

**Jeff Fenton**

---

**From:** Charles M. Duke <marty@mdukelaw.com>  
**Sent:** Monday, August 5, 2019 6:39 PM  
**To:** Jeff Fenton  
**Cc:** Mitchell Miller  
**Subject:** RE: Fenton v. Fenton

**Categories:** 4-Email: Important Information

Jeff:

There is no definite date certain by which I agreed with Ms. Story to file an Answer & Counter-Complaint. However, until there is an Order entered relieving us as counsel in this matter, you should not file anything pro se.

Thanks. have a good evening.  
Marty

---

**From:** Jeff Fenton [mailto:Jeff@Meticulous.tech]  
**Sent:** Monday, August 05, 2019 5:36 PM  
**To:** Charles M. Duke  
**Cc:** Mitchell Miller  
**Subject:** RE: Fenton v. Fenton

Thanks Marty.

Can you simply inform me of any critical dates which I need to self-represent by, as I can not afford further representation:

For example, when did you get the ANSWER & COUNTER COMPLAINT extended to?

Any other time critical dates would be greatly appreciated.

Thanks.

**JEFF FENTON**  
**METICULOUS.TECH**

(615) 837-1300 OFFICE  
(615) 837-1301 MOBILE  
(615) 837-1302 FAX

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A DIVISION OF METICULOUS MARKETING LLC

**14**



IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

<b>DONALD W. FISHER,</b>	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 3-15-cv-127</b>
	)	<b>Judge Crenshaw</b>
<b>CHRISTOPHER GATES AND GATES</b>	)	<b>Magistrate Judge Frensley</b>
<b>CONSTRUCTION AND DESIGN, LLC,</b>	)	
<b>Defendants.</b>	)	

**REPORT AND RECOMMENDATION**

Pending before the Court is Defendants’ Motion to Vacate Entry of Default (Docket No. 55) and Plaintiff’s First Motion for Default Judgment (Docket No. 61). For the reasons stated herein, the undersigned recommends that Defendants’ Motion to Vacate Entry of Default (Docket No. 55) be Granted in part and Denied in part; and Plaintiff’s First Motion for Default Judgment (Docket No. 61) be Granted in part and Denied in part. Specifically, the undersigned recommends the entry of default as to the individual Defendant, Christopher Gates, be vacated but that the entry of default as to the corporate defendant, Gates Construction and Design, LLC, remain and that the Motion for Default Judgment be Granted as to Gates Construction and Design, LLC only.

**Standard of Review**

Federal Rule of Civil Procedure 55 (a) requires the clerk of court to enter a party’s default when the party “against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend” and “that failure is shown by affidavit or otherwise.” Fed. R. Civ. P. 55 (a). Upon entry of default a party may proceed to seek default judgment under Rule 55 (b), either from the clerk of court or the district court. The Sixth Circuit has held that entry of default is a



prerequisite to a default judgment. *Devlin v. Kalm*, 493 F. App'x 678, 685-686 (6<sup>th</sup> Cir. 2012). “Once a default is entered against a defendant, that party is deemed to have admitted all the well pleaded allegations in the complaint except those relating to damages.” *Microsoft Corp. v. McGee*, 490 F. Supp. 2d 874, 878 (S. D. Ohio 2007)(citations omitted). Rule 55 (c) of the Fed. Rules of Civil Procedure allows the district court to set aside an entry of default for good cause. Fed. R. Civ. P. Rule 55 (c).

## DISCUSSION

### Defendants’ Request to Set Aside Default

Following the entry of default in this case Defendant filed an Answer to the complaint (Docket No. 54) and Motion to Vacate Entry of Default (Docket No. 55). Plaintiff has not filed a response to Defendant’s motion to vacate.

The Court acknowledges that Defendants are acting pro se in this matter, and their pro se status is a factor for the court to consider in its good cause determination in setting aside a Defendant’s default. *Dessault Systemes S. A. v. Childress*, 663 F. 3d 832, 844 (6<sup>th</sup> Cir. 2011)(Citing *Shepard Claims Serv., Inc. v. William Darrah and Associates*, 796 F. 2d 190, 194 (6<sup>th</sup> Cir. 1986). Nevertheless, pro se litigants are not exempt from the requirements of the Federal Rules of Civil Procedure. *McNeill v. United States*, 508 U. S. 106, 133 (1980). The Court also notes that “mere negligence or failure to act reasonably is not enough to sustain a default.” *United States v. \$22,050.00 in United States Currency*, 595 F. 3d 318, 327 (6<sup>th</sup> Cir. 2010).

While the failure of the individually named defendant to answer the complaint is clearly negligent, nothing before the court suggests that defendant acted to thwart the judicial proceedings or with reckless disregard for the effect of his conduct on the proceedings. *See, Childress*, 663 F. 3d at 841. It is clear from the pleadings that the defendant wishes to defend

against this action. Therefore, the Court recommends that the default against the individually named defendant be set aside.

With respect to the corporate defendant, the Court has been clear that the defendant corporation must retain an attorney to represent its interest in the case. Docket No. 57. Despite being repeatedly advised of this requirement and its consequences, defendant corporation has not obtained counsel therefore the court recommends that the default as to the defendant corporation remain and not be vacated.

### **Plaintiff's Motion for Default Judgment**

Plaintiff has filed a Motion For Default Judgment (Docket No. 61) based upon the previously issued default (Docket No. 51). Defendants have not responded to the Motion for Default Judgment. Plaintiff contends that default judgment is appropriate based upon the corporate defendant's failure to comply with the Court's previous orders requiring that any pleadings be filed by an attorney admitted to practice before this court and that the Answer filed on behalf of the individually named defendant fails to comply with the pleading requirements of Rule 8 (b) and (c) Fed. R. Civ. P.. Docket No. 61, pp. 1-2.

As noted above, the corporate defendant's failure to comply with the rules supports the entry of default under Rule 55 (a) Fed. R. Civ. P. and likewise the entry of default judgment under Rule 55(b). Therefore, the undersigned recommends that the motion for default judgment be GRANTED as to the corporate defendant, Gates Construction and Design, LLC.

With respect to the individually named defendant, the Answer to the complaint states as follows:

[t]he Plaintiff and only after refusing to perform additional repairs for free on the pool on areas due to damages caused by the mishandling namely freezing of the pool as maintained by the Plaintiff and his pool man who is a disgruntled former employee of the Defendants who was released from Defendants employ



for incompetents (sic) and undesirable conduct, did this action get filed so that the Plaintiff could claim dishonesty on the Defendants part and avoiding the 4 year limitation on his ability to claim.

#### Defense 1 Failure to State a Claim

Defendant answering the complaint herein, alleges all allegations and counts brought forth therein fails to state a claim for which relief can be granted.

WHEREFORE, Defendant prays that the Plaintiff take nothing and that the Defendant have judgement against the Plaintiff and recover the costs of suit herein, and such other relief that the court may deem proper.

Docket No. 54.

Federal Rules Civil Procedure Rule 8(e) provides that “pleadings must be construed so as to do justice,” and the Sixth Circuit has noted that “[t]he drafting of a formal pleading presupposes some degree of legal training or, at least, familiarity with applicable legal principles, and pro se litigants should not be precluded from resorting to the courts merely for want of sophistication.” *West v. Adecco Employment Agency*, 124 F. App’x 991, 992-93 (6<sup>th</sup> Cir. 2005)(quoting *Jourdan v. Jabe*, 951 F. 2d 108, 110 (6<sup>th</sup> Cir. 1991)).

While it is certainly true that the answer does not respond to each and every specific averment in the complaint, viewing the Defendant’s pleadings liberally, as it must for all documents filed by pro se litigants, and mindful of the requirement to do justice, it is clear that the individually named defendant has not failed to plead or otherwise defend against this action and therefore the undersigned recommends that the Motion for Default Judgment for the individually named Defendant, Christopher Gates, be DENIED.

#### RECOMMENDATION

For the reasons discussed above, the undersigned recommends that the Defendants’ Motion to Vacate Entry of Default be Granted as to the individually named defendant, Christopher Gates and be Denied as to the corporate defendant, Gates Construction and Design,

LLC, and that the Plaintiff's First Motion for Default Judgment be Granted as to the corporate defendant, Gates Construction and Design, LLC, and Denied as to the individual defendant, Christopher Gates.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S. Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U. S. C. § 636(b)(1); Fed. R. Civ. P. 72.



**JEFFERY S. FRENSLEY**  
U. S. Magistrate Judge

CASE: 1:23-CV-1097  
AUG C. MACKNEY

**TITLE CORRECTED**

**IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN**

FAWN ██████████ FENTON,  
Plaintiff/Wife,

v.

JEFFREY RYAN FENTON,  
Defendant/Husband.

)  
**FILED - LN**  
January 19, 2024 5:09 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: jlg / \_\_\_\_\_ SCANNED BY: jlg / 1/22/24



Docket No: 48419B

Vol-1, P-119  
through  
Vol-2, P-181

HUSBAND'S RESPONSE AND COUNTERMOTION TO WIFE'S MOTION  
FOR VIOLATION OF THE EX PARTE ORDER OF PROTECTION,  
AND IN OBJECTION TO ORDER GRANTING MOTION TO SELL THE  
MARITAL RESIDENCE, AND HUSBAND'S ANSWER AND COUNTER-  
COMPLAINT TO WIFE'S COMPLAINT FOR DIVORCE,  
**HEREAFTER REFERRED TO AS HUSBAND'S "ONE AND DONE"**



COMES NOW the Defendant/Husband, Jeffrey Ryan Fenton, for his response to the Wife's Motions, along with Husband's Counter motions, addressing all allegations to date, stating as follows:

First Husband would like to bring to the court's attention, the disabilities with which he has been diagnosed, and continues ongoing treatment for. If not properly understood, one could easily draw incorrect conclusions, specifically about Husband's communications, in how he speaks and even more so, his excessive use of words when writing. Please see Exhibit-A for a thorough explanation regarding this, from both Terry M. Huff (LCSW), Husband's Psychotherapist, and Dr. Richard E. Rochester (M.D.), Husband's Psychiatrist.

**Husband suffers from the following handicaps:**

Obsessive-Compulsive Personality Disorder (OCPD) DSM-5 301.4 (F60.5)

Generalized Anxiety Disorder (GAD) DSM-5 300.02 (F41.1)

Attention-Deficit Hyperactivity Disorder (ADHD) DSM-5 314.01 (F90.2)

I filed this in Chancery Court on 8/29/2019. I saw Binkley and Story with this in their hands during Court. I refiled this in the Court of Appeals on 10/28/2020, with a "Motion to Supplement and Correct the Record", clarifying that this document contains an **answer/counter** to every vexatious complaint by Story. Emphasizing that I never failed to plead, hence there could be no good faith "default judgments" against me in #48419B.

Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038



**MISTITLED (AS FILED)**

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN

2019 AUG 29 AM 9:17

FILED FOR ENTRY  
Docket No: 48419B

FAWN ██████████ FENTON, )  
Plaintiff/Wife, )  
v. )  
JEFFREY RYAN FENTON, )  
Defendant/Husband. )

HUSBAND’S RESPONSE AND COUNTERMOTION  
TO WIFE’S MOTION FOR VIOLATION OF THE  
EX PARTE ORDER OF PROTECTION AND FOR DATE CERTAIN FOR  
WALK THROUGH OF HOUSE AND MOTION FOR SCHEDULING  
ORDER

COMES NOW the Defendant/Husband, Jeffrey Ryan Fenton, for his response to the Wife’s Motion, along with Husband’s Countermotion, stating as follows:

First Husband would like to bring to the court’s attention, the disabilities with which he has been diagnosed, and continues ongoing treatment for. If not properly understood, one could easily draw incorrect conclusions, specifically about Husband’s communications, in how he speaks and even more so, his excessive use of words when writing. Please see Exhibit-A for a thorough explanation regarding this, from both Terry M. Huff (LCSW), Husband’s Psychotherapist, and Dr. Richard E. Rochester (M.D.), Husband’s Psychiatrist.

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Generalized Anxiety Disorder (GAD) DSM-5 300.02 (F41.1)

Attention-Deficit Hyperactivity Disorder (ADHD) DSM-5 314.01 (F90.2)

There was also an agreed extension between counsel (Duke/Story) for me to file a formal divorce answer/counter later, which I still planned to do. I have a long recorded phone call with Attorney Mitchell Miller, where he instructed me on how to navigate discovery on my own. I filed this ad-hoc "One and Done" as a temporary emergency back-up, to protect myself from exactly the sort of "defaults" Story and Binkley still levied against me. I knew they were violating my rights and could not be trusted. **This was my insurance plan, which they still completely ignored.** The Judicial Canons, State, Federal, and Constitutional Laws, the Federal Rules of Civil and Bankruptcy Procedure, the State of Tennessee’s Rules of Judicial and Professional Conduct, all meant nothing. (Racketeering Under Color of Law!)

Circadian Rhythm Sleep Disorder (CRSD) Non-24-Hour Sleep-Wake Disorder (Non-24)  
DSM-5 307.45 (G47.24)

Special Note: Although “OCPD” (Obsessive-Compulsive Personality Disorder) sounds very similar to “OCD”, a disorder and acronym which are much more common, “OCPD” is an entirely different disorder, with very little, if anything, in common with “OCD”. Please take a moment to discover the differences, as is well described, in Exhibit-A.

1. The Facebook post is deeply regretted and was deleted as soon as Husband was informed that it could be interpreted as a violation of the Temporary Order of Protection (within a matter of hours). Wife was not named in the post, furthermore the post was only to be found by searching the Husband’s “Stories”, not in the regular user “Feed”. Wife continued to search Husband’s “Stories” even after requesting the Temporary Order of Protection, based almost entirely upon fraudulent claims.

Still, Husband was wrong for venting on Facebook. Not only was the platform wrong, but the words which Husband angrily spewed were also very wrong. Not just because of the Temporary Order of Protection, but because they depicted God as Husband’s little “underling”, who “blesses” and “curses” people upon his command. That’s not who God is. God is Love. Likewise, I shouldn’t try to leverage any knowledge or belief in God, to harm, hurt, distress, curse, anyone, ever! For that Mrs. Fenton, I am sincerely sorry, and I ask that you please forgive me. I also ask for you to please remember, that despite what all I may think that I know, or see, or find true, that your Father God loves you, and he is NEVER going to curse the work of your hands or your heart. God will always love you through the most warm, expectant, grateful, compassionate eyes, which you’ve ever

imagined. Though we may both do great wrongs within our lifetimes, God will never see that when he looks at you!

As for those who are shaken, scared, or concerned about Husband's extreme verbosity, grandiose language, searching, frustrated, angry, and at times even hostile WORDS, that is ALL that they are. They are not words which lead to something worse. There is no need to "read between the lines". Husband has no (or very, very little) "internal filter". If there is something on Husband's mind, then he says it, probably five times. So, if anyone is "adding to" Husband's words, fearing some greater storm ahead, they are fictitiously making-up a false narrative, as the words are the entire payload. They are the only thing that Husband has ever "threatened" anybody with.

In nearly 50 years, Husband has never been arrested for anything, ever. Husband hasn't even been cited with a traffic ticket, during his 25 years living in Tennessee. Prior to Wife's secretly planned divorce, which Husband was the last to learn about, "words" had usually been Husband's friend, and were often held in high-esteem by others, though you would never know it by looking at the wreckage of the past year and a half of Husband's life. There has been too much loss, too quickly, during too vulnerable of a season. With Husband's words, he is literally "fighting for his life". He has not a dollar, a home, a job, or a vocation to leverage in defense of himself. "Words" are all that Husband has (along with proof when there is time), and they just haven't been enough to survive this unforeseen, dedicated, non-relenting, course of mammoth unrecoverable loss.



Husband has never been physically aggressive. Husband can't remember getting into a "fist fight", in his entire life. To accuse Husband of physical violence, is not only inaccurate and unsubstantiated, but it is also harassing, abusive, and violent to Husband's character, which he takes very seriously.

Though you may be able to read Husband's words, with the intensity and ferocity which they sometimes bring, and interpret them to be suggesting or threatening any type of "physical violence", that is never what Husband is threatening or even suggesting. Husband's greatest threat, to anyone, is to lock himself inside his office for a week, while publishing painfully clear evidence online (if you can touch it, if you can feel it, if you can smell it) of the wrongs which someone else has leveraged to harm Husband. Regardless of what sort of "package" Husband comes "wrapped-in", the truth is on his side. For Husband cares not enough about what someone else thinks of him, to be pretentious. To be fake. To be egotistical. To be proud. Husband's top-two values in life are truth and authenticity. Citing, "To thine own self be true!"

To add context to the following two sentences, Husband is talking about a family of 8-racoons and a few opossums which he feeds at the marital residence's back door every night, with water kept outside for them year around. "Yet it will be too late to save my family of friends. They will be confused and distraught, with some probably even perishing, waiting for me to come home and care for them, yet never will I be allowed."

Husband and Wife are both critter lovers and gotten many hours of enjoyment from all the wildlife here at Sunnyside. We first had a groundhog who lived under our deck for four

years, with two or three litters of pups, who would wrestle and play on our rear deck daily. (The last groundhog left from those litters, died on the same day which I was served the Divorce Complaint and the Ex Parte Order of Protection, from Wife's counsel.) We had a really cute skunk for a while, along with probably a dozen different opossums, who have become what we call our "Yard Pets". Now three generations of raccoons are Husband's daily guests.

Every night, Husband and Wife (now just Husband), puts out a bowl of food (size depending upon the number of guests), calling the critters in for dinner, after which they typically arrive to eat within a matter of minutes. (One of the things which Husband will miss the most.) With the marital residence backed-up to a massive hill, where Husband and Wife own to the very top, with hundreds of acres of undeveloped woods behind it, Husband and Wife purposely built a 3-sided fence around their backyard, so to keep neighbors and their pets out (to protect our wildlife), while leaving the back of the property unfenced, so that wildlife can freely come and go. Furthermore, over the past decade, Husband has hauled all the brush and branches from tree trimming and clearing, up into the woods, creating two massive brush piles, for the critters to live in, find shelter, and thrive. This area is full of life and was one of the truly unique attributes of this property, which Husband and Wife shall never be able to replace.

The marital residence is located in a deep and narrow valley. Across the street, the homes all backup to "Owl's Hill Nature Sanctuary", so that our valley is surrounded on all sides by hundreds of acres of protected woodlands, while being centrally located between downtown Franklin, downtown Brentwood, Green Hills, Belle Meade, and Bellevue, with

a direct path into the West side of Nashville via Hillsboro Road, where some of the most highly paid vocations exists. The neighborhood has the peaceful atmosphere of a campground or park, yet it is as close to the city as you can get, while living in such serene surrounds, for anywhere near the price-point of the marital residence. Husband and Wife expect that as Nashville continues to develop, that this property will double and maybe triple in value within their lifetimes. This home was their retirement plan, in addition to eventually starting a small architecture business from home, in another 15 years, once they are at retirement age, with Wife being the Architect, and Husband handling all the marketing, bookkeeping, and learning to draft, to assist Wife. This was their entire “retirement plan”, being as all their “retirement savings”, was entirely invested into the purchase and improvements of this property. Complimented by the home being scheduled to be fully paid-off within those 15 years, so that part-time employment from home would comfortably support them both, while living in paradise, the nicest residence and neighborhood which Husband and Wife had ever lived, and likely ever will.

Regretfully with this divorce, plus the massive added loss from selling the marital residence, home, before it appreciates beyond all which they’ve invested in it, Husband will never be able to realistically “retire”. In addition to having no savings, while having a large pile of debt in his name, with no technical skills qualified to employ husband with even a mediocre income, and not enough “working years” remaining for Husband to ever advance enough in any professional field, or to accrue any meaningful savings, with which to fund any sort of “retirement”. Additionally, since Husband has not held a W-2 job paying Social Security in over a decade, Husband will have extremely little Social Security



to even look forward to, a massively disadvantaged future from any which Wife shall be privileged to enjoy. Some of Wife's family is also very wealthy, so Wife stands to inherit enough money to independently fund her retirement, while Husband has no such fortune to look forward to.

So the marital residence, rich in value to both Husband and Wife, for not only the fantastic location and expected appreciation, but also because of being land-locked by huge protected lands, in the most wealthy and vocationally prosperous county, as well as arguably the best section of that county, intended to vocationally and economically benefit Husband and Wife for the remainder of their lives.

The loss of the marital residence, is not only the loss of a couple hundred-thousand dollars, to a family who can't sustain such a massive loss without pushing them both into bankruptcy, but it is also the loss of over half a million dollars of future value and opportunities, the loss of the only chance which Husband will ever have at "retirement", while currently almost 50 years old, and the loss of a standard of living which Husband will never be able to obtain half of again, within his lifetime.

If you wonder why Husband has been reluctant to sell his Home, it is not only the totality of all that he has worked for and accomplished in life, but it is also the only vehicle by which Husband could have leveraged to obtain anywhere near the same standard of living, to that which the Husband and Wife were privileged to enjoy together.

This divorce, along with the loss of the marital residence, considering Husband's disabilities and the vocational challenges which he will face for the rest of his life, is

essentially the loss of Husband's life as he has known it, and worked all his life to obtain and sustain. Husband has deeply grieved the loss of Wife and their family of furry "children" (a dog, two bunnies, multiple aquariums). Husband has also deeply grieved the loss of their marital residence, along with the tremendous value which it represented. Most of all, Husband has grieved the loss of his life, as ever he has known it, with this mammoth and catastrophic economic loss, which there is no plausible way for Husband to fully recover from, within the remainder of his lifetime. Now Husband will need to live in the basement of his mother's small two-bedroom, one bath, home, for a season. Located in a small town in Michigan (near "Flint), over an hour away from industries and vocational opportunities, equal to probably a quarter of the vocational opportunities, currently within 10 miles of Husband's home. In taking away his residence, Wife and the courts which Wife "gamed" and leveraged to oust Husband, have doomed Husband to a lifestyle ¼ of that which he has enjoyed over the past decade, and less than half that which Husband had 15 years ago, prior to meeting Wife.

While the court may deem Husbands rigidness in selling his home and his future to be unreasonable, Husband was literally "fighting for his life", with ultimately no say or control over the fate which Wife unilaterally forced upon him. Wife admitted knowing that this would realistically be a loss which Husband would never be able to recover from (even crying and apologizing), but regretfully Wife justified that Husband was an "acceptable loss" to regain her "independence". Demanding her "freedom" to enjoy the fruits of her vocational achievements, which have only been accessible to Wife and obtained because of the significant contributions (not mentioned herein) which Husband truly made to

Wife's licensing as an Architect, and the advancement of her career. While Wife will now temporarily seek to become "under-employed", at 50% - 75% of her current earning potential, helping to justify her bankruptcy, while alleviating much of the obligation to pay Husband alimony, under the guise of mental trauma and physical illness, which she erroneously attributes to Husband.

Really, Wife has managed narcolepsy successfully for well over a decade, and while early and extreme menopause has certainly taxed Wife physically for the past five years or so (which Husband largely blames for Wife's shift in allegiances to her family, ultimately pressuring Wife to divorce Husband), along with the mental stress of choosing to gamble so much money/debt/retirement, to oust Husband, while Wife has seriously compromised her integrity, committing fraudulent, unethical, and criminal acts, which she persists in, including perjury at both the State and Federal levels. This brings with it the risks of not only incarceration for Wife but could potentially result in the loss of her license as an Architect, for such blatant ethics violations. Husband believes that by Wife adamantly refusing any sort of "fair" divorce settlement, preferring rather to physically, mentally, and financially sabotage and destroy herself, forcing the loss of all their marital assets, that Wife is essentially giving herself "Chronic Fatigue Syndrome" in the process, by her absolute unwillingness to compromise at ALL costs.

Husband believes, based upon conversations with Wife, both oral and in writing, that Wife has been planning this since the end of 2018, knowing that her boss was soon planning to retire, while anticipating her Federal Income Taxes to increase to \$31k per year post-divorce, under the new tax laws which went into effect at the start of 2019. Filing signally,



living in an apartment, while refusing all tax-wise options which Husband has fervently presented to Wife, as both an incentive and reward, to encourage Wife to continue to grow her career. Which is why Husband believes that Wife refused to sign any agreement with Husband, committing to the 50/50 equity split from selling the marital residence, combined with the \$1,750 per month in “transitional” alimony, which the couple had verbally agreed to, for a duration of 6 years. This verbal agreement (also communicated via email) was a condition to the “Non-Suit”, which they filed to sell their home outside the oversight of the courts, with Husband temporarily moving to Michigan. Since Wife repeatedly refused to “put her own words into writing”, to secure Husband’s equity split and their alimony agreement, Husband refused to relinquish possession of the marital residence, which had been his only “leverage” since wife abandoned him, because both mortgages were in Wife’s name.

As shown in a text message from Wife, on December 22<sup>nd</sup>, 2018 (Exhibit-B), Wife stated to Husband as follows:

“Correct, my tax situation is going to suck for a very long time... 90k gross – 31k taxes – 21k alimony = 38k net. Plus or minus.”

Wife went on to say:

“Someday when alimony is done, I **can** get a job making only \$43k gross and have the same net of +/- \$38k.” (Emphasis added to point out that apparently the lower income is Wife’s preference.)

Husband already had concerns, but as a result of this conversation via SMS, Husband became convinced that Wife planned to down-size her career, to reduce both her alimony and her income taxes, once her boss retired within the following year. Husband further became convinced, that this was Wife's compelling reason for refusing to sign the previously agreed upon terms of their verbal settlement agreement, to Non-Suit and sell the marital residence outside the courts. Husband was rightfully concerned, that had he gone to Michigan without a written agreement signed, that wife would have "stiffed" him, once the marital residence sold, knowing that Husband could not afford to pursue an out-of-state lawsuit against Wife, for alimony, nor could Husband afford to move back to Nashville, without alimony, after Husband surrendered possession of his home.

Several months later, in a face to face conversation with Wife, Wife admitted that she didn't sign the agreement, because she wasn't sure that she could afford the agreed alimony, speaking of seriously downsizing her occupation after her firm closed, stating that she is even considering seeking part-time employment, instead of her fulltime job.

This was when Husband knew that he could not rely on alimony to help rebuild his life, so Husband decided that his best chance at not losing literally everything, was by trying to keep the marital residence. First Husband planned to obtain roommates, to leverage the wasted space currently in the 2,500 square foot home, while also meeting both Husband and Wife's negative monthly cashflow (Wife claimed to have a negative cashflow of \$400 - \$500 monthly). After obtaining roommates, with Husband's total rents equaling \$1,400 per month, Husband gave Wife the financial benefit of approximately \$900 of those rents, per month. Which should have lifted Wife out of the red, with a positive monthly cashflow

of \$400 - \$500. This is why Husband believes that Wife needed to accept a voluntary pay cut with her employer, to prepare Wife to meet the financial qualifications for filing Chapter-13 bankruptcy.

Shortly after Husband discovered that Wife had filed bankruptcy, Husband was served with both the Ex Parte Order of Protection, and Divorce papers once again, after Wife had assured Husband, that she was done “wasting” her money on lawyers for a “contested divorce”. Husband had been emailing Wife extensively, to ensure that she was keeping up the mortgage payments on their home, which Wife simply refused to answer or reply to. Since the home has Husband’s life invested into it, keeping the mortgages current was critical to Husband, but he no longer had access to the mortgage information, being in Wife’s name, since she had changed the account credentials to lock Husband out.

Despite how many times Husband asked Wife about the status of the mortgages, and even if Wife choose to “keep” the home in her bankruptcy (elected by one checkbox on the bankruptcy forms), both which Wife refused to answer. Then to make matters worse, the frequency of those very emails, in comparison with how frequently Wife chose to reply, was used by Wife and her counsel, as substantiation for requesting an Order of Protection for Wife. Although those emails contained urgent concerns regarding the possibility (and now a forced reality) of Husband losing literally everything, those emails did not contain anything malicious, and certainly not anything threatening, by any means. Yet Husband’s counsel chose not to take the matter to trial, but rather to settle for maintaining the Ex Parte Order of Protection, throughout the duration of the divorce.



Husband understood that the Ex Parte Order of Protection prevented Husband from pursuing Wife, entering her world, or interfering with her life in any way. What Husband absolutely did not understand, was that this Ex Parte Order of Protection still allowed for Wife to enter Husbands world, interrupting the sanctity, privacy, and enjoyment of his home, legally forcing Husband and his roommates to vacate their home for hours at a time, under the threat of incarceration, should Husband refuse to comply.

This, combined by the instant loss of his home, per court order, absolutely pushed Husband over the edge, leading to Husband lashing out inappropriately on Facebook, after days of physical and emotional exhaustion, compounded by the stress of accruing a massive financial debt to his mother for legal fees, without even reaching the stating gate for his divorce. At that point, accruing more debt to maintain legal counsel, no longer made fiscal sense for Husband, especially in light of the fact that his home, which was the Husband's only meaningful asset, had already been ordered by the court to be auctioned in 45-days, with no minimum.

Since wife has preemptively filed for bankruptcy, substantially less financial relief is expected to be obtainable from her. Despite Wife's role as the family's primary breadwinner for over a decade, [REDACTED]

[REDACTED] and the breadth of financial and legal bullying" which Wife had engaged in against Husband, while using both illegal and unethical tactics to undermine the equity in their home without Husband even knowing. Both by accruing "marital debt" on her credit cards, to support two residences, after Wife abandoned Husband, with a poorly planned

budget, which could never cash-flow, as Husband immediately pointed out to Wife. Unfortunately, Wife insisted that she was smarter than Husband and “would figure it out”.

Having managed the couple’s finances for over 13 years, Husband knew beyond any doubt that the couple could not afford two Brentwood residences. They simply didn’t have enough income to support or justify such a brash and irresponsible decision. The evidence of which now is Wife having been substantially fined by the IRS, after her first-time filing taxes for the family, while again aggressively refusing Husband’s assistance.

Wife even fraudulently filed the couples 2018 joint tax return, without Husband’s knowledge or consent. While she changed the marital address from the family’s home to her apartment, changing the phone on file to her own, and scheduling the automatic refund to be deposited directly into her personal and now private bank account, without so much as notifying Husband. This demonstrates the extent to which Wife has been on a power-trip beyond anything that Husband had previously seen in her, as she continued to financially and legally “bully”, dominate, and oppress Husband, throughout Wife’s crusade to “cut-off every limb” to simply discard Husband, without offering Husband any post-divorce support or assistance of any sort.

At one-point Husband asked Wife:

“Is there anything that I can do to help you, besides die?”

To which wife honestly answered:

“No.”

Later on, in a text message, Wife told Husband:

“You won’t do anything for me, you won’t let me be free.”

As bad as Husband felt, still he was trapped inside a home which he could neither afford to keep nor to leave, as wife constantly “ripped the carpet out from under his feet”. While denying Husband any opportunity to establish some basis of stability, without needing to rely upon Wife. That was one of the primary objectives for Husband obtaining roommates. Since most of the money went to benefit Wife anyways, Husband did not obtain roommates, choosing to share his living space with random strangers, simply for the immediate benefit.

Rather Husband was attempting to build a foundation which would be sustainable as Husband tried to obtain the vocational training and future job which would allow him to finally “free” Wife without the exorbitant need for alimony.

Husband’s goal was simply to provide Wife with as much financial relief as he possibly could afford, putting off other financial commitments such as repaying his mother, and continuing to increase that relief as rapidly and substantially as possible. Hoping to gain back his financial independence, prior to Wife self-destructing, setting Husband back more than he could ever realistically recover from. Having shared that strategy with Wife (thinking it would appeal to her), Wife intentionally filed bankruptcy, before and to deny Husband of the opportunity to succeed in his declared agenda; to help save them both from financial ruins.



Utilizing a highly-strategic, extensively planned, fraudulent, focused, devoted, and relentless attempt to “discard” Husband without paying the alimony which Husband was legally due, as well as realistically needs, to have any chance at independently sustaining himself again, with even a fraction of the standard of living which he possessed 15-20 years ago. Husband believes that paying alimony is Wife’s greatest fear, both due to her economic loss while doing so, without the beneficial tax advantages it included prior to 2019, compounded and exceeded by Wife’s fear of her “losing face” with her elite, over-achieving, prosperous, snobbish, condescending, and judgmental family. (EXHIBIT-Z)

Husband believes that Wife’s current philosophy is, that she can destroy herself, be burned to ashes, and still recover quicker, than she could if she agreed to pay Husband alimony fairly. Alimony could last for 6 or 7 years, while only providing Wife with enough income remaining to sustain the rest of her debt, after which she would still need to slowly pay it down. By self-sabotaging her career for a season, Wife has chosen to file bankruptcy, which will have all her debts legally satisfied in 3-5 years, while avoiding the expense of ever needing to pay Husband any substantial alimony. Although a complete betrayal of Husband (again), while further harming his chances at recovery, self-sabotaging and filing for Chapter-13 bankruptcy, as Wife has done, is literally the quickest path for Wife to financially recover. It will literally lead to at least a 50% quicker financial recovery time for Wife, than meeting her financial obligations to Husband and her creditors.

Meanwhile Husband is without, unqualified for, and possibly incapable of obtaining and maintaining gainful employment, a home again where he can both feel safe from storms (a serious phobia associated with Husband’s GAD (Generalized Anxiety Disorder), where

Husband previously built a 40,000 pound, highly sophisticated storm-shelter in the basement of his Duplex, prior to meeting Wife. While Husband also feels safe in their current marital residence, since the home has a massive South-West facing hill, the direction which most severe weather comes from, following the jet-stream (this was a serious consideration in originally purchasing the home). Nestled within a tiny valley, which effectively makes the entire home, the safest place in which Husband has ever lived, which he has enjoyed without concerns about the weather, since it rarely impacts the home. Due to the natural shelter provided by the home's precise geographic location. (Previously, weather was a daily fear for Husband, affecting every facet of his life.)

To punctuate how critical this was, Husband and Wife would not have literally purchased a house on the opposite side of their street, since the South-West facing hill was so critical to Husband, in order to willingly forfeit the security and peaceful assurance, provided by his comfortable, customized, extremely robust storm shelter, which Husband had built inside his Duplex, prior to meeting Wife.

Now in addition to Husband losing the value of his home, Husband also lacks anywhere affordable to live, without Husband being physically forced to liquidate or discard the majority of his personal property, which is bulky, not of much value to others, but extremely important to Husband. So, Husband shall loose on every level, walking away from this marriage with less than he had 20 years ago. Crippled financially, materialistically, vocationally, and credit wise. Along with the increased physical and mental challenges, which typically increase with age, pushing the goal of recovery with a

fraction of the standard of living previously enjoyed (both prior to meeting Wife, and since) further out of Husband's reach.

Husband is repentant for that which he has done wrong, more than most people will ever understand. Husband understands that without his complicity and misplaced trust, he could have never found himself in such a dire state. Yet there is something much greater being done "wrong" here to Husband, than by Husband. As Wife leverages the law, along with her violent character assassinations of Husband, with a fraudulent narrative, the uncommon minority stereotypes, media hype, and social anxieties. While gaining sympathy playing the victim, exploiting common misperceptions about the "weaker" more "fragile", "innocent" and "needy" gender. That is certainly the story which Husband believes that Wife would like the court to believe; however, that's not what Husband believes that the evidence here shows.

a Husband was sleep deprived, distraught, and overwhelmed after court on August 1<sup>st</sup>, when Husband learned that he is losing his home, which holds his entire life's savings, all his retirement, and nearly a decade of work, by the aggressive, unfair, harassing, demeaning, strategically planned, multi-faceted legal assault by Wife and her counsel. Wife's main objective is to not pay Husband alimony, at ALL costs. Even at the expense of destroying herself; her career, her health, and her life. (Claim will be backed with significant documentation.) Especially after the 2019 tax reform laws, where alimony is no longer tax deductible for the advantaged



party. Even though Wife has been the primary breadwinner for the past 12 years of their marriage.

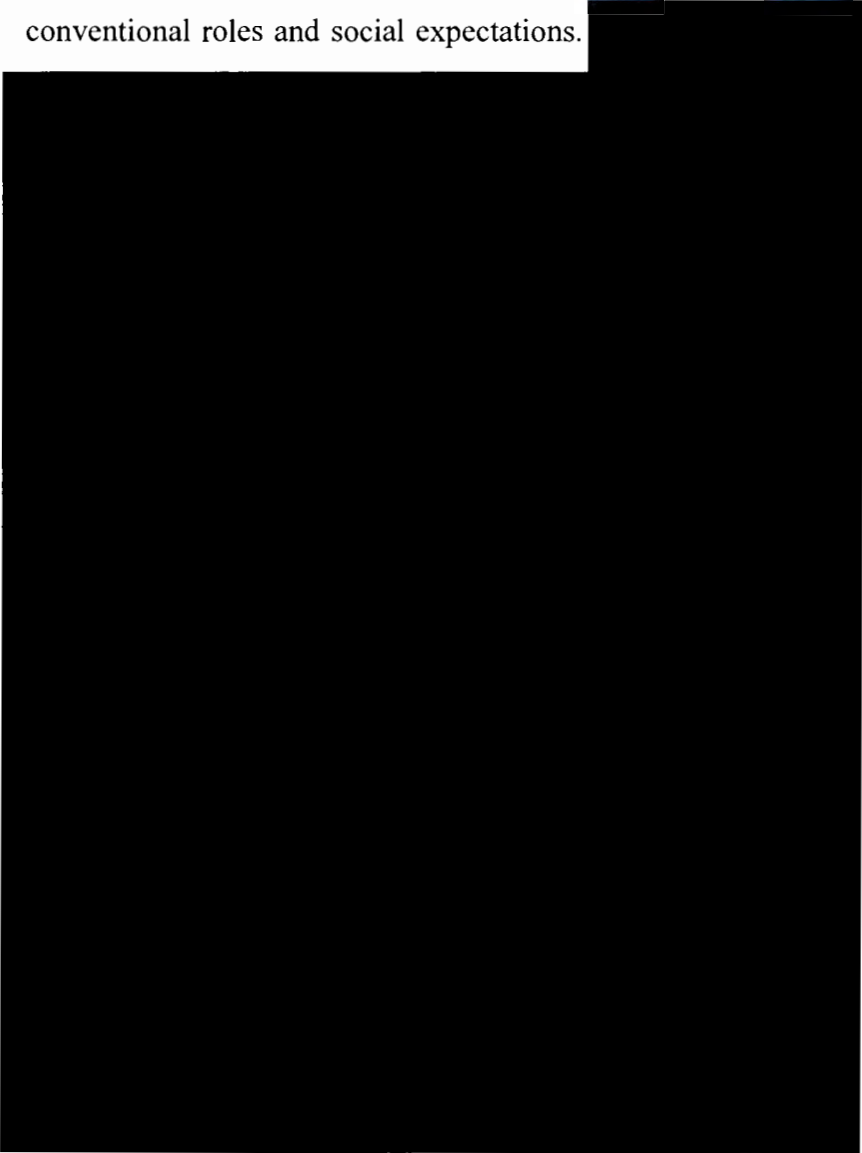
b Wife has been “bullying” Husband, both financially and legally, with false claims. Wife’s first divorce complaint stated that Husband is crazy, but highly skilled and employable, a complete contradiction of claims. Now Wife’s narrative is that Husband is dangerous, while being highly employable since he is a “genius” with computers.

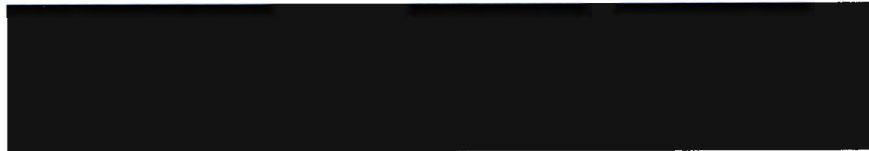
i Husband has been tested to have an IQ of 100, which is as perfectly “average” as they come.

ii Husband is not a “genius” at anything, especially related to any specific vocation, as he has spent his lifetime diluting his vocational value to any one discipline, by migrating from trade to trade, primarily determined by supply and demand, rather than passions, interests, and aptitude, which has been Wife’s privileged vocational history. Prior to marriage, without any higher education, Husband has always been a blue-collar worker, often working two and sometimes three jobs simultaneously, simply to support himself with a comfortable but much, much lower standard of living, than the couple had together.

c Wife claims that Husband refuses to work.

i That claim couldn't be more of a lie. Husband works constantly to try to meet every need of the family, to contribute "his share", and to (impossibly) please Wife. Husband has never been lazy, nor even accused of such. Wife complains now, accusing Husband of refusing to have a job outside their home, because it adds leverage to her divorce complaint, based upon conventional roles and social expectations.





iii Wife repeatedly assured Husband, that as long as the two could live on her income, without accruing a negative cash-flow, increasing their debt, that Wife was absolutely content in living their entire lives on primarily Wife's income, in order to have Husband manage and take care of every other major need for the family, and to be at her beckon call. Wife affectionately called Husband her "House Husband", both publicly and in private.

iv Wife also liked having Husband constantly at home, to care for, meet any emergency needs for, and provide company to the family's pets. Wife is a very abnormal pet lover, beyond any common conventional belief structure, and would sacrifice anything to ensure the happiness of the family's pets.

d Wife claims that Husband refused to sell their marital residence, despite the dire financial condition which Wife was in. That Husband was a constant obstructionist regarding the sale of their home.

i Though the home is a once in a lifetime opportunity for Husband and Wife, originally cherished by both, holding almost their entire net worth, which Husband had not only invested all



of his wealth into, but also his daily labor maintaining and improving the property for nearly a decade.

ii Recognizing the realistic alternatives while trying to determine how to rebuild his life, there were many times, frequently for several months, within the past year and a half, when Husband was not only willing to sell the marital residence, but Husband even offered to freely surrender his equity to Wife twice, with the sole condition that Wife live in the home and enjoy it for five years, before selling it, simply to profit from cashing-out and keeping both of their equity.

iii In all the above-mentioned instances, for one reason or another, often without Wife even providing an explanation or a response why, Wife chose not to perform, hence keeping our joint ownership in our home.

iv The urgent financial need has been fabricated by Wife, and Wife has refused to put the primary terms of her own verbal settlement agreement with Husband, on paper. Resulting in at least as much delay in selling the home as Husband has caused.

e With Wife possessing a degree from MIT, and being a licensed architect, with a \$94k per year gross income, which is actually an income of \$116.5k per year with her employer provided benefits included (while

Husband was a high-school drop-out and has never made over \$50k per annum), neither of which would have been possible without Husband's support, it was jointly determined, very early in the marriage, that Wife's time is best leveraged earning income, while Husband's time is best leveraged making said income work hard and efficiently for our family, while filling every other crack in our lives. Husband managed, customized, and cared for our homes and their properties. Husband managed our finances, managed our taxes, managed a rental property for most of the marriage (Duplex), which Husband previously owned. Husband also ran several small businesses, from being a Residential Real Estate Agent, to opening a small marketing firm, building websites, performing IT work both locally and remotely, while managing and maintaining most of the Tech needs of Wife's architectural firm, for many years.

f Husband is completely self-taught in the area of computers and technology, without any licensing or certification, and having never worked for any company in that capacity, except for his own tiny start-up, which almost completely serviced Wife's employer. Similarly, Husband's "jack of all trades and master of none" career path, has diluted his value in any one specific discipline.

g Prior to the marriage, Husband worked blue-collar jobs all his life. The most recent of which was running multi-million-dollar printing presses, for Atlantic Envelope Company, with the global FedEx contract for

manufacturing their Tyvek envelopes. Husband was one of the top-three “Lead Pressmen”, in both skill and wages, within his manufacturing plant. This was a good job, with good benefits, including an hourly rate of \$24 per hour at its best, but there was a hard ceiling at that point with no room to grow, advance, explore, or excel.

h Husband’s employment with Atlantic Envelope Company ended shortly after the marriage, after Wife obtained her Architect’s License with Husband’s help. Wife encouraged Husband to pursue a career in Real Estate, which excited us both for a while, as we explored the intersection between Architecture and Real Estate, taking on a “flip”, rehabbing it literally from the ground-up, and selling it, while we studied other investment models and properties. In the end, both Husband and Wife found Real Estate to be stressful, unreliable, and generally disappointing. Through an aptitude test in counseling, both learned that Husband is “wired” more toward the technical professions, instead of what are primarily “people centric” occupations.

i Husband regretted leaving Atlantic Envelope Company for several years, since it was the best money and “fit” which he had found so far. Husband only feels good about a job, when he is seasoned, proven, and can out-perform most of his co-workers. Husband has always found his security in his skills, never before in his relationships.



j Within a few years, Atlantic Envelope Company was sold a couple of times, then they went bankrupt. The Nashville plant was closed, and finally the entire company went out of business. The same has been the case for CPS in Franklin, where Husband previously worked as an “Assistant Pressman”. Along with nearly every manufacturing printing company in town. Printing, once the second largest industry by volume, in the Greater Nashville Area, probably isn’t within the top 100 today. The industry is simply gone, largely due to home computers and overseas manufacturing.

k Husband needs vocational rehabilitation, in order to focus training on a specific tech discipline, to grow his skills, value, and to earn a certificate or license in an area which has the capacity to earn what Husband made prior to the marriage, over twelve years ago. Husband’s only IT “reference” currently, would be Wife and Wife’s employer. Neither of which are willing to lend their endorsement, despite Husband’s excellent performance in serving their firm, in different roles for over a decade. While simultaneously saving them a small fortune, compared to industry-standard rates.

[REDACTED]

Wife has manipulated and taken advantage of Husband, as well as the legal system, while extorting every bit of value from Husband’s life, finally to discard him as a piece of trash without any responsibility or care. Wife blatantly lied to this court, to pretend to feel “physically

threatened”, when Wife knows clearly that “words” are Husband’s “weapon of choice”. Actually, words are really what Wife fears the most from Husband, not in the toxic or abusive sense like she is portraying and you would expect (we rarely even communicate anymore), rather Wife fears Husband publishing evidence online, showing Wife’s unethical, senseless, careless, and even criminal activities. Some of which Husband must now share here today, in order to have any chance at a fair trial, after the exhaustive amount of false and fraudulent narrative which Wife and her counsel have repeatedly attacked Husband with now (4x), before Husband even had the opportunity to file an “Answer and Counter Complaint for Divorce”. Despite the false narrative presented by Wife and counsel to date, Husband continually wrestled with his first Attorney to file the “Answer and Counter”, ultimately bringing about his “change in counsel”, at Husband’s choice.

a Wife’s real reason for wanting an Order of Protection, was to use as a GAG order, preventing Husband from notifying the public online, or through local media, the scam which Wife is getting away with, legally and financially dominating Husband and then dumping him here, while self-sabotaging and lying about assets to qualify for bankruptcy, simply to exhaust any financial relief Husband is due, both during the interim, as well as after the divorce, by way of alimony.

b Through “Collaborative Divorce” with Sandy Arons, Husband and Wife learned that husband should be legally due between 22% - 24% of Wife’s gross income, for approximately half the term of our marriage, which is about 6.5 years.

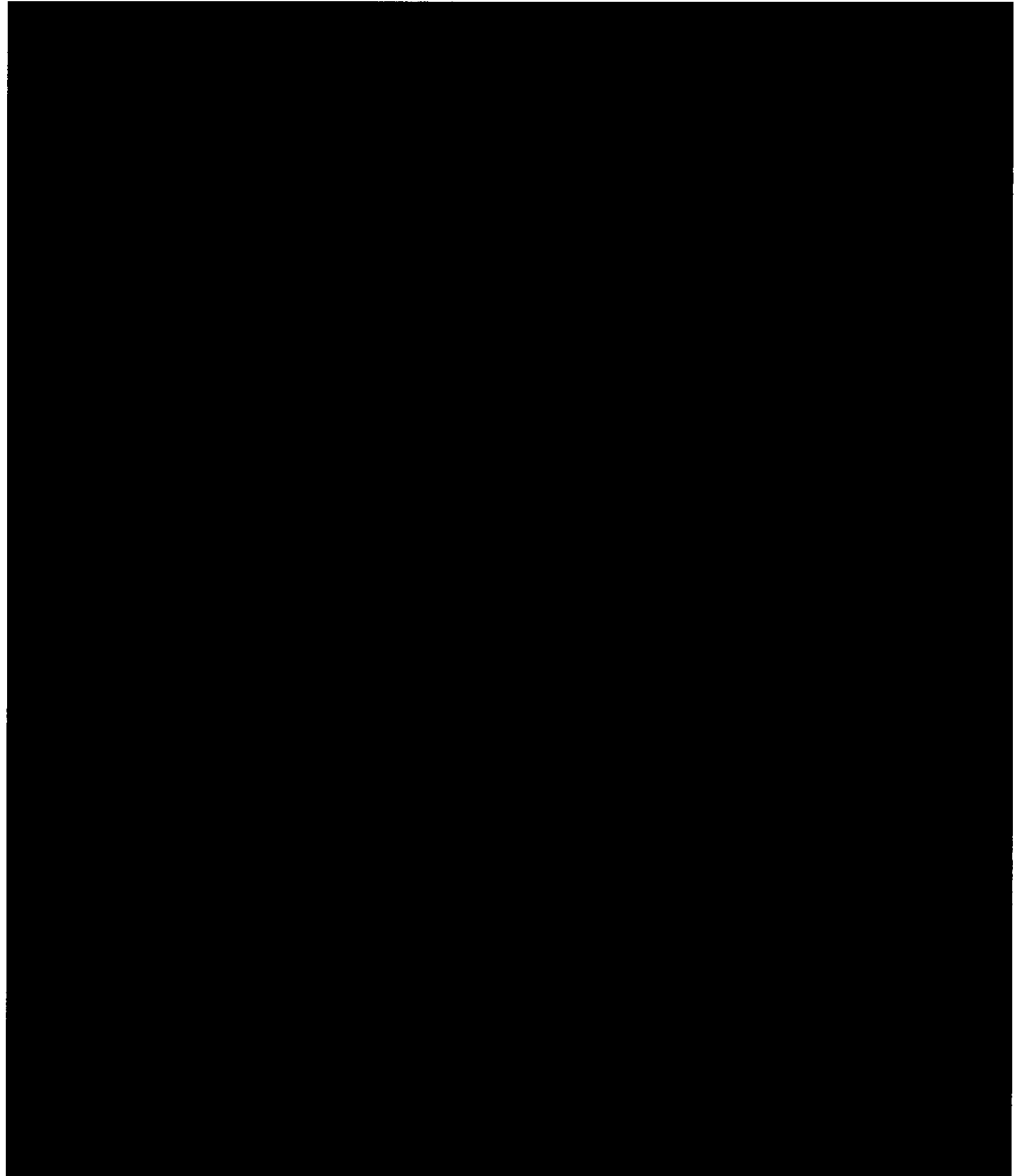
c In real numbers, during negotiations, that worked out to be between \$2k - \$2.2k in alimony, per month, for a period of 6 years (at that time). Even after Husband and Wife decided to do a “Non-Suit” to sell our home outside court, it was with the verbal agreement for the parties to split the proceeds from the sale 50/50, less only the first and second mortgages. Followed by Wife paying Husband transitional alimony, in the amount of \$1,750 per month, for a duration of 6 years.

d The agreement was that after the marital residence was sold outside of court, each party would be responsible for the debts in their own name (hence the reason for doing this outside of court), each taking our 50% of the net sale proceeds, to do whatever we choose with it. Then, claiming to no longer have any “marital property” or “marital debt”, we would file a FREE divorce using the forms provided online by the State of Tennessee. After which Husband would continue to receive the \$1,750 per month (as transitional alimony, which can’t be modified), for 6 years, as he sought vocational training, and began his whole life over at 50 years old.

e The only reason why Husband and Wife never proceeded with the plan to sell our home as agreed, is because Wife absolutely refused to put our agreement into writing. Though confirmed via email, Wife knew that her employer was planning to retire within the next year, so she expected the firm to close, and Wife wants to get a “fun” job now, or to only work “part-time”, as she has since finally admitted.



f The Chapter-13 bankruptcy forced husband out of the house, with no prior warning about the default. Wife refused Husband's questions about their mortgage status, as he saw most of this coming, except for Wife's own bankruptcy, that was a surprise, but brilliantly cruel! While husband suspects those mortgage payments were funneled to pay for Wife's legal fees, both for her bankruptcy and the divorce, with Wife's current counsel.





i Husband and Wife had promised each other that we were going to live in this home, on Sunnyside, for the rest of our lives. Everyday that's what Husband worked for... Forever! 60% of everything Husband did, wasn't for the benefit of that day, week, month, or even year... but to make a nice home for us forever! Without which, neither of us could have ever afforded to purchase a comparable home in this zip code. Husband would get to continue to work from home or be a "House Husband" as Wife affectionately called him (almost daily). Anything which Husband asked about around the House, Wife would make a snappy comeback with, "that's your job!" Husband's job never ended, and it was eventually discovered that once menopause started early (about 5 years ago), that Wife was absolutely impossible to please!

j Keep in mind, that Husband contributed about 60% of our start-up capital, toward the down payment, and nearly \$100k in renovations the first

year we purchased our home. Both Husband and Wife cashed out all Roth IRA retirement funds, to invest into the down payment, as soon as the funds recovered 75% of their value prior to the 2008 housing market crash. So, with a purchase price of \$350k in 2011, plus around \$100k in renovations that first year alone, we were at around \$450k during the start of 2012, then Husband sowed seven more years of work into improving our home, forever!

k During this time, Wife invested her life/time into increasing her professional value as an Architect. (Something which no-one can ever take away from her.) Meanwhile, Husband invested his life/time into customizing and maintaining our home forever, to enjoy and benefit from (he believed), for the rest of our lives. Which was abruptly taken away by Wife's scams, financial and legal coercion, and the court ruling an absolute auction with no minimums, including all of Husband's personal property, if he can't move it out quickly enough. As Husband simultaneously needs to spend days and weeks endlessly trying to learn how to legally survive Wife's constant legal harassment.

l As verified by the attached exhibits, the fraudulent narrative, and the motions and petitions filed by Wife hence far, Husband respectfully asks the court for relief, under the legislation known as "Stalking by Way of the Courts". Wife has filed abusive motions and petitions in this divorce, designed to "harass or maliciously injure" the Husband, by exhausting his economic resources and trying to force him to make financial concessions.



This is simply a litigious form of domestic assault. Also referred to as “malicious prosecution or abuse of the legal process”.

i All filings by Wife under Docket No: 48419B, show some form of this oppressive harassment, stalking, and domestic abuse.

ii Additionally, the “MOTION TO DEEM HUSBAND SERVED”, and all the attached ugliness, including our custom “No Trespassing” signs, at the entry, designed collaboratively by Husband and Wife together. Yet falsely portrayed by Wife, as an irrational act by Husband, further used as justification for the Ex Parte Order of Protection, filed by Wife against Husband, to further harass, control, stifle, dominate, and injure Husband’s first and second amendment constitutional rights, knowing exactly how crucial those freedoms are to both Husband and Wife.

1 Wife’s counsel filed this motion on 6/20/2019, the day after Husband’s counsel (then), Attorney Brittany Gates, communicated with Ms. Story on 6/19/2019, informing her that Ms. Gates was representing Husband, that Husband had already received service, and that Ms. Gates was Husband’s Counsel of Record. None the less, Wife’s counsel filed this motion with the court, though totally unnecessary, purely for the opportunity to further

smear the Husband's name, with their false and fraudulent narrative, solely for more litigious leverage over Husband. (They weren't going to let all that good ugliness go to waste.) Furthermore, someone from Ms. Story's office directly emailed the documents to Husband, though they had already received notice that Ms. Gates was Husband's Counsel of Record. Such created an ex parte communication, which was wholly abusive and unnecessary (Exhibit-C).

2 The marital residence was purchased on 4/29/2011 (Exhibit-D).

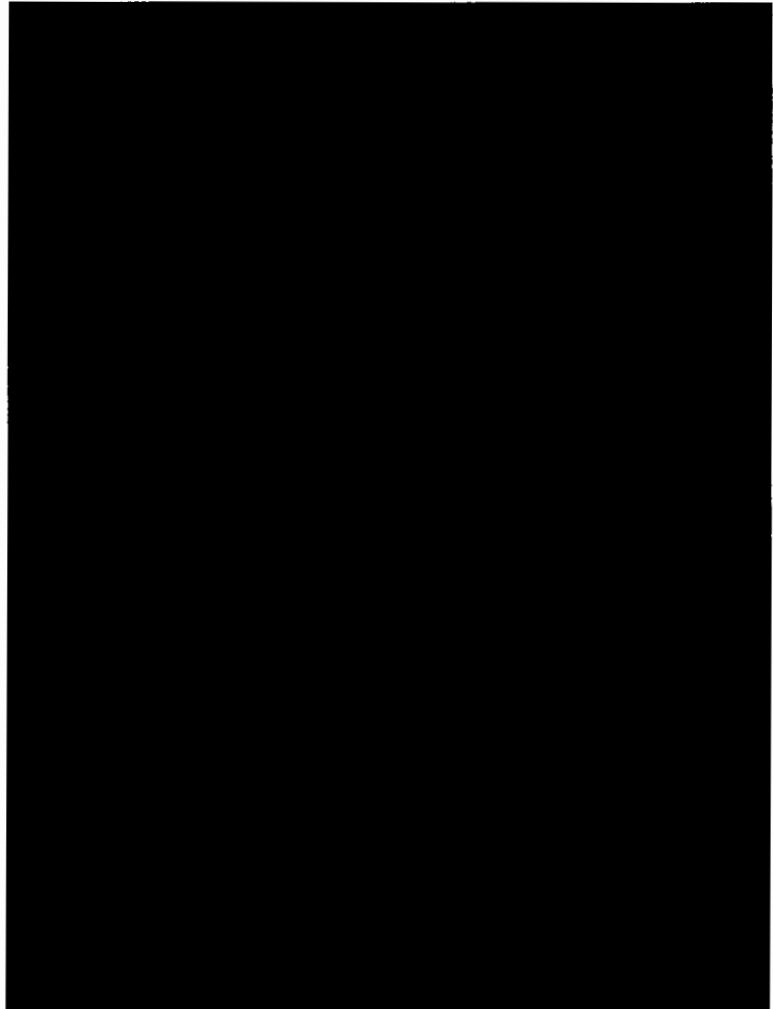
3 Honeywell Vista alarm system, was purchased on 6/13/2011 (Exhibit-E).

4 Zavio IP Dome surveillance camera was purchased on 3/15/2013 (Exhibit-F).

5 No Trespassing signs purchased Nov/Dec 2015 (Exhibit-G) shows communications between Husband and Wife will selecting sign styles, along with purchase receipts.

6 Hikvision IP network surveillance cameras (10x) were purchased on 1/20/2016. Floorplan design by Wife, allocation by Husband and Wife (Exhibit-H). Installation by Husband. The floorplan provided is file

dated 9/5/2016, with Wife's handwriting visible on the bottom-right, with the following dimensions "outerhole: 3 1/2" from each inside edge of fascia..." Wife drew other plans and elevations, to help Husband determine roof/soffit/facia relationships and dimensions to install throughout.



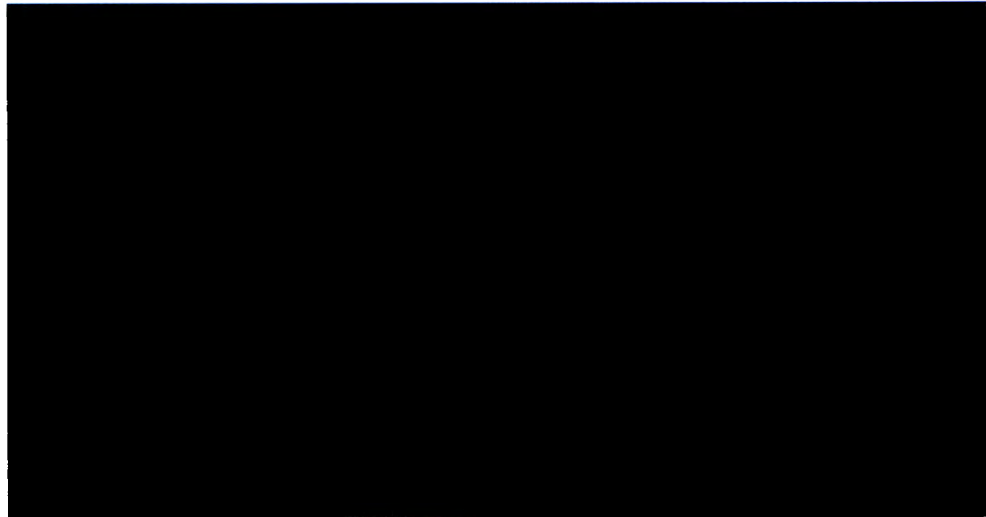
8 Alarms are normal for everyone, Husband and Wife had those at their previous home. Husband and Wife also had "No Trespassing" Signs at their previous home,



though that was primarily due to the transient rental neighborhood that the Duplex was zoned in, near Nipper's Corner.

9 The signage was for setting "boundaries". The alarm was really the only thing for "security". The surveillance cameras (which weren't monitored), were only for "accountability", after damage or intrusion was detected and researched for proof.

10 All of the electronics had something to do with the fact that both Husband and Wife like electronics, Husband more so than Wife, yet both are geeks at heart. Additionally, Husband's small business from home was in the tech industry, and Husband enjoyed learning about new technologies while installing them in his home first, to see if there might be any viability to adding that to the services he offered. Most took way too much time for Husband to ever be able to reasonably offer installation services to others. At the same time, both Husband and Wife got to enjoy a home (forever) which had built-in technologies, which neither of the parties could have ever afforded to pay third-party companies to install, administer, manage, and host. (At least not concurrently.)



n Husband believes that with the assistant of Wife's father, Wife undermined Husband's equity, by redirecting months of missed mortgage payments to the destination of Wife's choice. Hence benefitting Wife toward another financial need, while forcing the home toward foreclosure, and simultaneously leaving the court with no choice but to eject husband and tenants, followed by auctioning the home.

o Husband refused to render himself "homeless", without having in writing (even without lawyers), some assurance about how Husband could again afford to have a place to live. Now because of Wife's games, her deep dark strategy [REDACTED]



[REDACTED] allows Wife's income to decrease (as she plans), and the bankruptcy court will modify her "bankruptcy plan" to accommodate her reduced income.

p Husband insists that Wife had no legitimate need for an OP, but rather that she simply wanted the protections of a "GAG" order, along with

the opportunity to assassinate Husband's character and continue with her fraudulent narrative. Wife was armed at all times, with both her Glock .40 caliber handgun, which she keeps inside her purse (it is under the seat of her car, while in court) and a large law-enforcement quality, pepper spray cylinder, attached to her keychain. Husband requests that the OP Ex Parte be abolished, as it was fraudulently requested, under false pretenses, for purposes other than which it was designed, as a sweeping order to provide physical safety to those in jeopardy of physical harm.

q One of the realities which Husband understands in life, is if someone calls the police and says (with panic), "Help! I'm scared that my Husband (brother or friend) might publicly expose the TRUTH about me online, along with the substantiating proof." That the police don't usually rush over to arrest, restrict, or confine the perpetrator.

r However, if you simply change a couple of words to say (with panic), "Help! I'm scared that my Husband (brother or friend) might physically harm me." In that event the police will probably rush right over, intervene, arrest, warn, restrict, or confine the perpetrator.

i At which point, if you can obtain an Order of Protection, or a Temporary Order, you're not only protected from physical harm (which was never really a concern).

ii You also are protected from a host of other concerns, since the "perpetrator" has had some of his basic constitutional rights revoked, as a result of the tiny lie which you told the police.

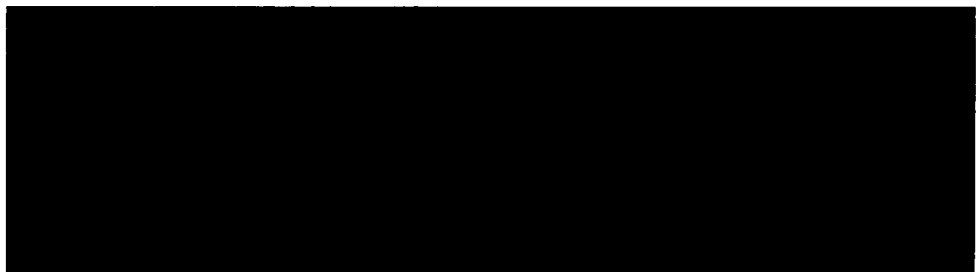


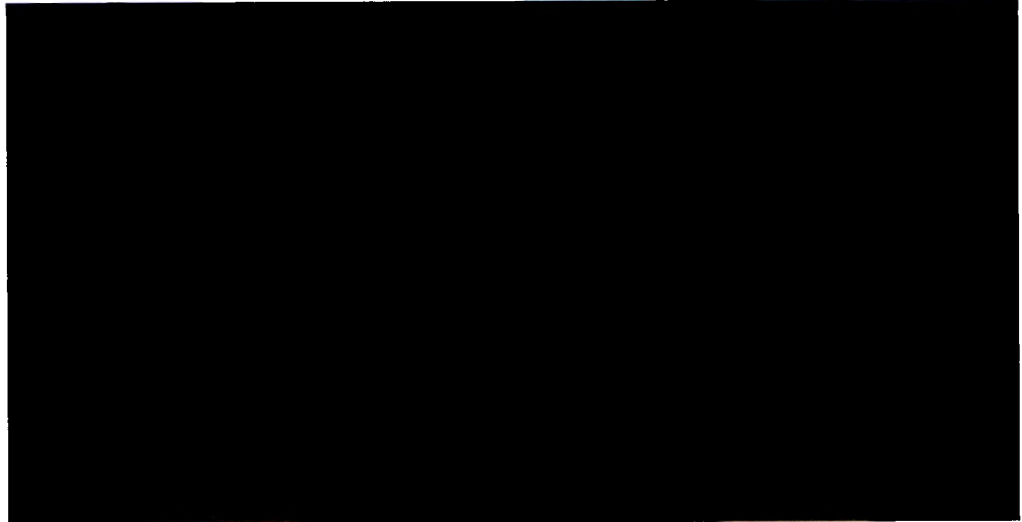
iii Husband has seen this abused more than once, and so has Wife, and people know the power which this one tiny lie can yield over others.

iv It is for this reason, that during Husband's research, that an Order of Protection is commonly referred to as "the second most oppressive and abused piece of legislation" used against the American people. It is also commonly referred to as "the nuclear bomb of divorces." Husband can personally attest to the accuracy of both of those descriptors.

s Even though Wife has convinced herself (and everyone within her circle of influence), that she is the victim here, really many of her "actions" (as opposed to Husband's "words") have been extremely aggressive, even violent, in a non-physically threatening way. Wife's unilateral choices, without a moment's notice, warning, or any opportunity to course correct, have financially devastated the family, and rendered all their property virtually worthless.

t Husband accepts his share of blame in all matters. Husband knows that he is neither a victim nor an abuser, he is something rather broken, in between.





w Throughout marriage, Husband felt as though he could never “catch-up”. Between Husbands ADHD (challenge with focus) and OCPD (a need to do tasks excellently, or not at all), Husband never seemed to be able to “catch-up” to Wife (Exhibit-A). Wife appears to be counting upon that, with her divorce tactics now. To keep running, and running, and running. If Husband ever has the time and resources, he can disprove every false claim of Wife, which is why she is intentionally hitting him as hard and repeatedly as she can.

x The simple thing which Wife apparently doesn’t see, is if she worked “with” Husband a little bit, to help him reach some level of financial, vocational, or residential stability, Husband would make his way on his own. Never as quickly as Wife. Never nearly as fruitful or prosperous as Wife. But that is life. Husband wants to be “free” as badly as Wife does. He just hasn’t had the time to fight these litigious battles while trying to reinvent himself at 50 years old. Husband can handle one major project or challenge at a time, If Husband is to move, then Husband needs 2-3 weeks

with nothing else in the World to focus on besides moving. Likewise when he gets moved, he will need a couple of months to get sorted in his new environment, adjust to massive social and economic losses, and try to find some job to help buy food until he can improve his vocational training, to where he could be functionally independent again.

y Husband doesn't want to "use" Wife as she and her family believes. Husband made more money and had significantly more property than Wife when they met. Husband was never attracted to Wife because of her MIT degree or her professional future, she didn't have a dime when Husband met her, and was actually \$15k in debt to her mother from her previous divorce.

z Husband's foundational belief is that both Husband and Wife reached this state of brokenness together, so they should work their way out of it together also, rather than poaching off of Husband's poor elderly mother, at the age of 50 years old. Husband's mother was primarily a single parent "nurse", with five children. Every penny Husband's mother has, is because she denies herself basic luxuries which Husband still enjoys daily, even though Husband is penniless, unemployed, largely unemployable (due to speed and specificity, along with outdated vocational skills and experience), and soon to be homeless. Please see the letter left to Husband and his mother's best friend and husband, regarding what she had saved her money for, since both of her parents got dementia as they aged (Exhibit-J).



aa After October of 2018, when the Court schedule was mostly full, through the end the year, Wife refused to “settle”, saying that since she missed-out on the tax write-off, which was grandfathered for all who finalized their divorces prior to 2019. Wife has refused to work with an independent third-party by any means since. The reality is that \$120k in alimony over the next six years, is a lot scarier to Wife than throwing away our equity in our home, than paying a lawyer \$20k-\$40k to fight a “contested divorce”, or even than filing bankruptcy herself, in the end. Earning slightly less than a six-figure income and filing bankruptcy over \$50k in debt. Husband is the opposite, has never had over a \$50k per-annum job. [REDACTED] While Husband’s last retirement investment in his home, is being essentially forced-out by fraud...

[REDACTED]

3. Husband has a sleeping disorder, which Wife believes to be “Non-24”, that she learned about during one of the narcolepsy conferences which she attended. Husband never saw any confirmation regarding Wife’s walk-through confirming any time or date for the walk-through, since it was so short notice (Husband has told his counsel, that he requires at least twelve hours’ notice prior to any commitments or meetings, because Husband is often awake all night, and sleeps all day. Such was the case in this instance.

Husband awoke around 3am to find information in his email about the appointment, after the scheduled date and time had already concluded, twelve hours prior. (Husband is often awake for 24 hours, then sleeps for 12 or 16. Husband must always know before going to bed, when he has any appointments or obligations the following day. , until after the time scheduled by Wife's counsel, while falsely claiming that I had confirmed the appointment time and date.

a Despite the complaints from Wife's counsel about Husband trying to delay or obstruct the walk-through or the auction in any way, that is completely false. The court order never mentioned anything about the Auctioneer accompanying Wife and her counsel during this walk-through. This walk-through per court order, was supposed to be completed much earlier, with a subsequent list of items which Wife wants to keep (determined during the walk-through, which was the purpose of the walk-through, as well as for Wife to ensure the condition of the property). Wife's counsel sent a list prior to the walk-through in an attempt to comply with the court order, but completely failing to meet the 10-day deadline for the walk-through, plus to provide to husband the subsequent list. Nobody informed Husband about the accompaniment of the Auctioneer, or any other parties beyond Wife and her counsel. Any other arrangements were at the fault, and outside the control, of Husband. To this day (8/27) Husband has been told that Wife is still compiling a more comprehensive list of personal property, which she established during the walk-through, yet even

though it was legally due by court order on August 11<sup>th</sup>, Husband has still never received any such document since the inspection.

b Husband made every attempt to communicate quickly and accurately with Wife's counsel to help schedule this, even going so far as copying her directly in Husband's emails to his counsel to ensure that his messages were getting relayed to Wife's counsel in the quickest possible fashion (for which Husband was reprimanded both by his counsel and wife's), but Wife's counsel still totally dropped the ball on this, while again aggressively blaming Husband and filing a complaint with the court.

i This is simply another example of litigious "bullying", which is completely inappropriate, harassing, abusive, unacceptable, and illegal.

ii Husband respectfully requests that the court order Wife and her counsel, to be less litigious, to work cooperatively with Husband toward solutions benefitting both parties, rather than filing inaccurate, twisted, false, and condescending motions, to hijack, oppress, and injure Husband, both in respect to the financial injury which he has suffered to date, of nearly \$13k in legal fees, without even beginning his divorce, as well as injuring husband's physical and emotional, needing to figure out how to reply to these often fraudulent motions, under the threat of incarceration should he fail. Meanwhile, if Wife and her



counsel really want to sell the marital residence, then Husband both needs and deserves enough time to pack his possessions (all 3,000 SqFt of them) and move to Michigan. This will take an absolute minimum of two weeks to simply be ready to vacate the property, which Husband wants to do prior to the auction.

1 As such, Husband requests an extension for the sale date, as well as for the dates for Wife to remove her personal property, so that Husband will not again be forced to vacate his residence, when he needs every available moment for packing.

2 Husband requests that the court order a two-month moratorium on any deadlines and court filings on this docket, including all motions, petitions, etc... with the only exception being if Husband fails to vacate the property by September 15<sup>th</sup>.

3 This time is needed with Husband's handicaps, so that he can focus on his move, and have any chance at completely evacuating the property by September 15<sup>th</sup>. (Provided the court approves.)

4 This would allow the minimum time required both to pack and prepare to move, while allowing husband to break-down his office and complete the move to

Michigan, without fear of concurrent litigation being filed, forcing Husband to redirect all energies to meet the emergency legal demands.

5 The move will require Husband to obtain significant storage space, and will require a lot of physical assistance, for weeks, to just begin to get settled, while moving into Husband's mother's small basement in Michigan.

6 After which Husband will need to assemble office furniture, and rebuild his network, get his server up and running, etc... during which time Husband will have no access to any of his files and records related to this divorce.

7 Consequentially, until this move is completed, Husband will be physically incapable of responding to court filings without Wife first winning default judgments, which is absolutely unfair.

8 Should the court not find this two-week auction deadline extension agreeable, or the two-month moratorium on all court filings so that Husband will have the time needed to move, then Husband will be forced to remain in Tennessee throughout the Auction,

and require additional financial assistance to do so, now that Husband's tenants have been evicted by the court.

a As per court order, there are no more rents coming in, plus Husband was forced to return tenant deposits, which he had used to merely survive, Husband is now behind on all the utilities for the property, and requires some emergency financial assistance from Wife, immediately, if the court will allow. Otherwise Husband will be forced to turn-off all utilities upon vacating the property, to not run up more debts in Husband's name than necessary.

b The utilities run approximately \$400 per month, plus with the loss of \$1,400 in rental income, which just barely allowed Husband enough money for food, gas, meds, and to pay the utilities, Husband requests some immediate emergency financial relief from Wife, in the amount of \$1,000 now, to bring the utilities current and to provide Husband with enough money to purchase food and his basic essentials, from now until September 15<sup>th</sup>, when Husband vacates the property to head to Michigan.



c Husband is temporarily borrowing the money for the move from his mother, expecting that cost to be around \$3,000, plus the cost of monthly storage. Husband requests the court to reimburse this expense to Husband's mother, immediately upon the sale of the home, from the Husband's portion of the remaining equity.

d Husband also requests the court to order Wife to transfer all the utilities back into her name immediately, or if the court and the Wife prefer, to order Wife to pay Husband an additional \$500 prior to 9/5/2019. to leave the utilities on in the Husband's name, through the auction, up until closing, provided that all takes place within our current timelines.

e After the move, Husband respectfully requests that the court order Wife to begin paying Husband \$500 per month again, adjusting her bankruptcy plan as needed, as temporary support, to help cover the cost of Husband's food, so not to further burden Husband's mother financially.

f Of these monies listed above, Husband respectfully requests that only the costs of moving and storage, be deducted from Husband's share of the sale proceeds, as the rest is believed by Husband to be the minimum due Husband from Wife, under Tennessee law, to help partially support Husband, until a full and final divorce decree can be reached, along with hopefully a corresponding alimony agreement, which Husband sincerely hopes the court will grant him, so that Husband will have an opportunity to obtain vocational rehabilitation and one day become financially independent again.

9 Should the court be agreeable to extend the deadline of the auction for two-weeks, and to the two-month moratorium on all court filings, provided that Husband vacate the property by September 15<sup>th</sup> as proposed, then Husband requests that the court all the Wife to handle all communications and interactions with the Auctioneer, after September 15<sup>th</sup>, once Husband has vacated the property.

10 In such event, not out of any disrespect for the court, obstinance, or belligerence on the part of Husband, nor due to any resentment toward the court, Wife, or this process, Husband respectfully requests that by court order, (not a POA or Quit Claim Deed, which Husband must sign), the court executively provide the Wife with the authority to completely sell the property, without the need for any signatures or participation by Husband.

a To frankly explain the reason this is so important to Husband, again, it is out of no act of disrespect, rebellion or defiance, it is simply a matter of beliefs. Husband believes that by providing his signature, that he is approving of the transaction which he is signing for.

b While Husband believes that he is being robbed of his home, and any opportunity to take over payments and try to keep it, by Wife's fraudulent default on the mortgages performed months ago by Wife, without providing Husband with any notice, while refusing to even reply to Husbands questions on the matter.

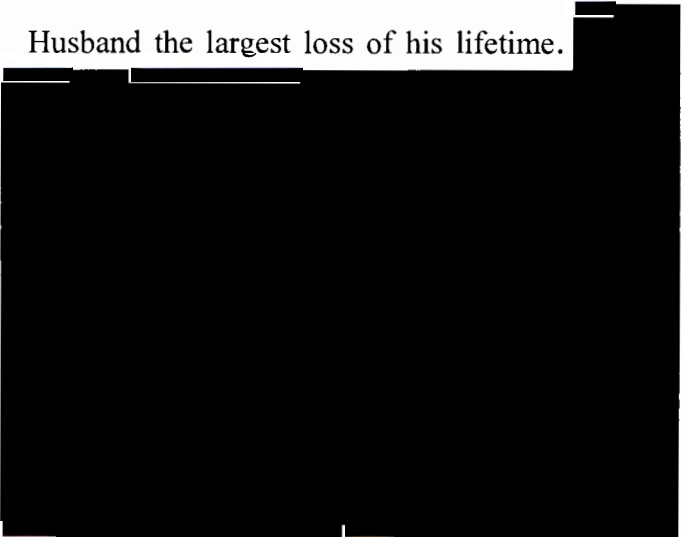


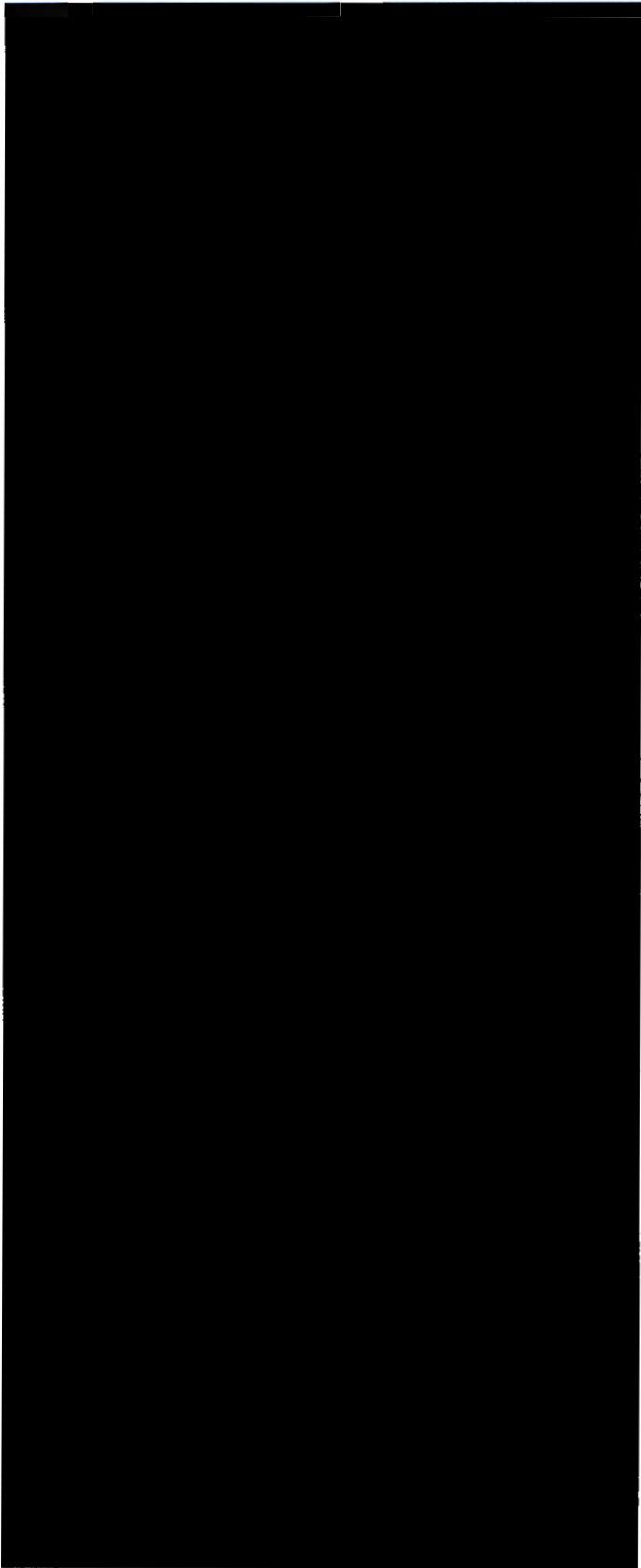
c Husband does not blame court for this, but Husband absolutely feels as though he is being robbed of most of what he has worked for in his life. Regardless of the auction sales price, or the amount of final alimony Wife is ordered to pay Husband (should alimony be awarded), Husband will never, in his lifetime, have the opportunity to enjoy this standard of living again. With all the unique characteristics which this property naturally possesses, as well as those which Husband spent nearly a decade building and constructing on the property, for the family's home forever. Husband recognizes this as a once in a lifetime chance for both the Husband and Wife, which now they have foolishly forfeited.

d Husband tried with every ounce of his being to prevent Wife from forcing this outcome, but with the mortgages in Wife's name, Husband ultimately was powerless over monitoring their status. At the same time, without some serious training, followed by a full-time job, and a few years of advancement, there is no way that Husband could have proactively paid the

mortgages, just “in case” wife wasn’t continuing to pay those bills, as she had been. Without absolutely any notice to Husband that her financial situation had changed, even if legitimate, which Husband highly doubts. Regardless, with timely notice from Wife to Husband, that their jointly owned asset was at risk, Husband could have worked towards finding a solution to help cure that financial shortfall, prior to reaching the point of default.

e Yet Wife stole that opportunity from Husband, and as such, suffering a loss of a lifetime, without so much as a hint in advance, Husband wishes to play no part in the final moves of Wife’s schemes, to abandon and financially undermine Husband, costing Husband the largest loss of his lifetime.







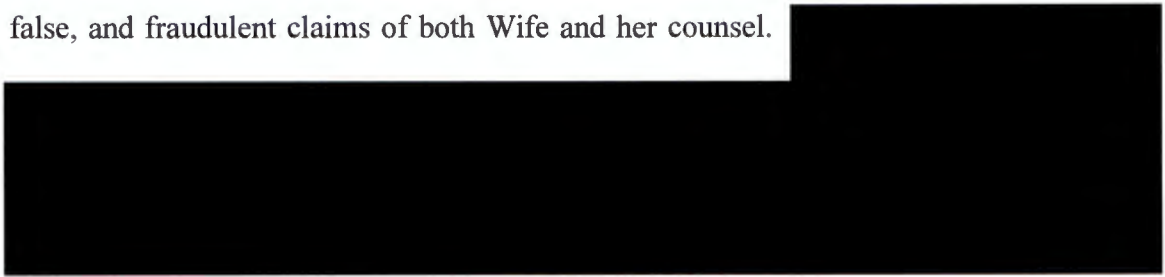


4. Per court order, both the Wife's walkthrough and thereafter her list of personal property which she requested from the marital residence, were supposed to both be completed within 10 days of the August 1<sup>st</sup> hearing date. That means that per the order of the court, the deadline for both of those tasks to be completed was on 8/11/2019. Ms. Story never even contacted Husband's counsel to begin scheduling the walk-through until 8/12/2019, already missing the deadline, requesting the walkthrough on the on the 13<sup>th</sup> or 14<sup>th</sup>, days later after the court ordered deadline. Yet Wife's counsel still finds it necessary and appropriate to legally blame, bash, and harass me with her litigious accusations, twisting information to make me sound as if I'm the party who failed to adhere to the timelines ordered by the court. Again, Husband respectfully requests that the court take action to discipline Ms. Story, to correct her actions, and change her future narratives to much less frequent and less hostile, and to work on improving her accuracy some, while reducing her slander of Husband's name and his character, both which Husband finds highly offensive, and which is harmful to Husband's mental and emotional health.

a Husband respectfully asks the court to please not allow Wife back on or inside the marital property, unless the court should choose to first terminate the Order of Protection Ex Parte, obtained by Wife's completely fraudulent testimony, so not to interfere with Husband's packing, by forcing Husband to vacate his home again, prior to either his move by September 15<sup>th</sup>, if approved by the court, or until after

the auction is finalized and the court provides Husband with the funds from the sales proceeds, necessary for Husband to move and obtain lodging here locally

5. Husband respectfully requests that he be awarded all his attorney's fees hence far, totaling around \$13k, most of which Husband borrowed from his elderly mother, as Husband has not even reached responding to the divorce complaint yet, but all \$13k in legal costs have been exhausted simply to protect Husband from the harassing, abusive, false, and fraudulent claims of both Wife and her counsel.



6. To date, absolutely no delays of process have been due to the fault of the Husband, despite the deceitful claims of Wife and her counsel. Husband's first counsel failed to perform, though Husband was promised a draft to his Answer & Counter Complaint, which Husband has still never seen to this day. Absolutely no documents were filed, except for an extension to the temporary OP, so that Husband could gather a shocking amount of evidence, to hopefully dissolve the matter, but the continued failures to perform by Ms. Gates, forced Husband to borrow another \$5k from his mother to hire Husband's second set of counsel, with only two work days remaining to respond to both the fraudulent OP claims, as well as the order to sell my home. The two largest decisions in my life to date, with only two days to respond, while Ms. Story absolutely refused agree to an extension for my incoming counsel, in either of the monumental and immediate matters. As such I see not why she is carrying-on about any delays or failure to perform on my part, except again to assassinate my character and to litigiously harass and abuse me.

a I respectfully request that the court order Ms. Story to attend a legal ethics class, to encourage her to be more honest, sincere, and kind in her legal motions. Such abuse by legal process is absolutely barbaric and intolerable.

b Husband prays that the court will defend him in regard to Ms. Story's abusive treatment, and/or that she be replaced by another member of her firm in this matter, having failed to act as her office should require.

c Husband has no objection to waiving the Mediation, as Wife has made it clear to Husband that she is in no way wanting to participate in any collaboration, mediation, or any other fair, neutral third-party assisted solution, or we would be divorced by now. Wife is only interested in a judgment, and refuses to settle by any other means, despite having filed bankruptcy, and the dire financial condition of both parties.

i For the purpose of again correcting the narrative of Ms. Story's verbal attacks by legal process, Husband wants to clarify that Wife's desire to skip mediation has nothing to do with her fear of Husband, especially for the ridiculous benefit of being mindful of the safety of everyone else involved in the process. I've never been more falsely harassed by anyone, and again, I appeal to the court to please intervene.

ii The real reason why Wife has refused every attempt to sit down at the same table with Husband and work towards a fair solution, has absolutely nothing to do with Husband's words,

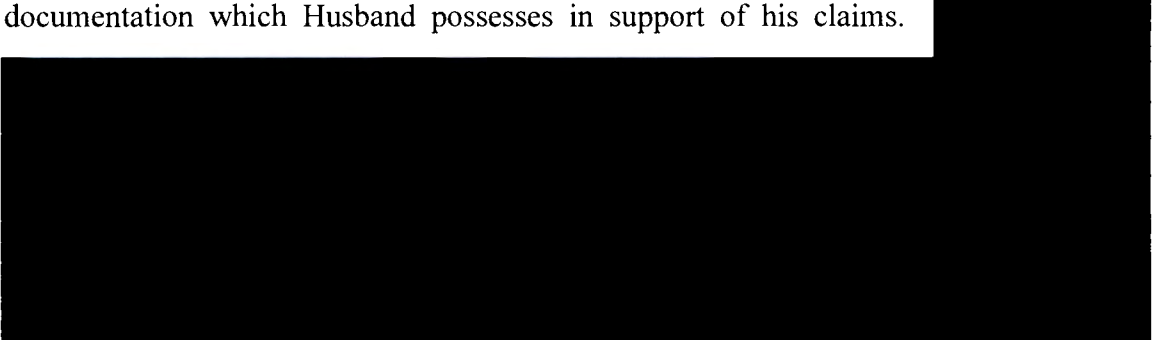


the intensity of his presence, or any pressure which Husband could emotionally inflict upon Wife.

iii The reason is because Husband is the one person in the entire World, which Wife really struggles looking in the eyes and lying to, about her fraudulent, victimized narrative, since Husband was THERE with Wife, and remembers vividly what really happened and what did not. In contrast, most other people take Wife at face value, seeing her obviously distraught, disheveled, and injured impressions, not realizing that the majority of what they are being told, is either a really twisted version of the truth, or an absolute lie. While the signs of abuse which she portrays, some of which are real, but are self-inflicted, and never ceasing, by Wife's relentless desire to discard Husband without a penny of alimony, vocational rehabilitation, a roof over his head, or food for his belly. Wife is absolutely destroying herself, fighting to be what she calls "free" or "independent", unwilling to recognize or accept any financial obligation, responsibility, or reparations for the impact which she has had upon the Husband's life, as it lies all in ruins now, and in two months another family will be living in the home which Husband invested the proceeds of his entire life, both financially, and in labor.

7. Husband can't apply for any insurance, until Husband has either obtained vocational rehabilitation and subsequently found gainful employment, or until Wife starts paying adequate alimony to pay for said insurance, as well as meeting some of Husband's other real financial needs, such as purchasing food, paying for meds counseling, etc... Should the court be willing to order such support for Husband, then providing the sum is adequate, Husband will be happy to apply for such independent health insurance.

8. The reality is, that contrary to Wife, Husband can definitively prove each and every word written in this response and counter motion. Husband has put forth an absolutely exhaustive effort to provide the court with some of the information which Husband feels may be pertinent to helping the court discern whether Husband or Wife is presenting the truth to the court. At the same time, this is probably 1/100<sup>th</sup> of the documentation which Husband possesses in support of his claims.



As we are both completely broke, as recovery is realistically not even plausible for Husband, though his financial independence hopefully is, with some structured support and vocational training, leading to a technical certification or license in a progressive field, with vocational opportunities in the area which Husband resides. Continuing with this matter in the court is harmful to all parties, despite Wife's inability to stop injuring herself, and consequentially Husband, since Husband will never be able to focus, with his

handicaps (ADHD, OCPD, GAD, Sleep Disorder) as long as Husband's life is on trial, and due to Husband's financial shortcomings, and Wife's refusal to pay, Husband shall have no choice moving forward except to represent himself.

So at the end of the day, we can either continue as we have here today, for likely the next three years, forcing Husband to put recovery, rehabilitation, and all progress to rebuild his life on hold, until Husband no longer needs to "play lawyer", so that he can focus upon rebuilding some semblance of his life. Husband has serious concerns, about the proceeds from the sale being parked with the court for very long, since Wife's abusive and litigious counsel works right across the street from the courthouse, while Husband will not be in state or able to adequately defend himself.

Furthermore, Husband is absolutely terrified to drive over the Cincinnati bridge, as wife can well testify. Husband has not driven over that bridge in a decade, and the last time Husband had a serious panic attack, and nearly passed out while driving a U-Haul with Wife.

So Husband's only options are either to take enough Xanax that he can probably drive over the bridge safely, to then need to shortly thereafter find a place to park and sleep it off, or to have someone else who can drive Husband over the bridge, of which Husband knows of no volunteers (mother is now too old for that drive). Therefore, due to these exceptionally complex and harmful consequences for both parties, to continue in court any longer, Husband asks that the court make an exceptional modification to protocol, and provide to Husband and Wife a full and final divorce, here today, upon the grounds of



irreconcilable differences, and determine as fair of a financial settlement between the parties as the court is realistically equipped with the information it has, including the exhibits provided herein. Should the court be willing to grant us a final divorce today, but require more time to review the abundance of documentation provided, which is honestly completely unbiased, and to issue said settlement in the near future, without requiring another court appearance, Husband would be very welcoming to such an outcome as well.

Despite Husband's real need for support in this matter, Husband needs even more to never need to drive back over the Cincinnati bridge, to continue this violent process against each other and our own persons. For reason of mental and physical health, I beg the court to end this once and for all today, to save us all the next three years of our lives, wrestling over breadcrumbs. Husband's requests for a settlement approximately half of what the parties previously discussed, planned, and verbally agreed upon, is outlined below, which Husband respectfully asks the court to consider granting. Should the court decide to grant less to Husband, then Husband shall find no need to object or file further motions, Husband shall gratefully accept whatever the court finds fair. Husband does request that the court not decide upon any judgment which can be modified, altered, or which leaves the door open for future litigation, by either party. Else Husband fears that this case shall perpetually carry on forever, costing both parties more than either party can financially, emotionally, and mentally afford.

Although settlements are typically reached between opposing counsel; due to the abusive manner in which Ms. Story has presented herself throughout her filings in this case,

Husband respectfully requests that the court make an exception here to help protect Husband from needing to sit with Ms. Story and endure her condescending narrative and tone. Instead Husband simply requests that the court make a full and final determination, without any further negotiations or litigation between the parties.

Therefore, should the court not find Husband's request to be in the best interest of both parties, as well as of that of the court, Husband is reasonably certain that he'll never realistically see or benefit from any of the proceeds from the sale of his home. As Wife's counsel and other demands nibble away at it, beyond the practical reach of Husband. Whereby losing his retirement savings, and everything which Husband has earned during his lifetime, which would be one final travesty to end this absolutely toxic divorce.

Yet whatever it must be, so be it. Husband just asks the court for fair and reasonable consideration, and to end this nightmare once and for all. So, Husband can focus on what lies ahead, returning from where he once came, but has been fortunate not to need to leave since reaching adulthood.

Should the court have any questions or need any information, please feel free to ask. Husband can be emailed directly at [REDACTED] A mountain of documentation pertaining to the marriage is available upon your request.

Thank you for accepting this late filing, and earnestly considering the plethora of complex findings contained herein.

WHEREFORE, Husband would respectfully request that:

1. The court order a full and final divorce to Husband and Wife, on the grounds of Irreconcilable Differences. ~~The Order of Protection be made permanent and that Husband be required to pay her attorney's fees for having to bring this Motion.~~

2. That the Temporary Order of Protection be terminated. Husband is willing to sign a "Hold Harmless" with Wife, which can be styled to include both of our families, our employers, etc... so to protect both parties from either defaming them or publishing anything online about them, for the rest of our lives. Not requiring yearly renewal as with an Order of Protection, and also not injuring Husband's vocational potential, like an Order of Protection.

3. If for any reason the court is not willing to terminate the Temporary Order of Protection, Husband respectfully requests that it only apply to Davidson and Williamson Counties, and that it not be converted into a full order, so not to affect Husbands employment potential. (Husband's firearms are located in a friend's gun vault in Goodlettsville. Husband needs to be able to legally pick them up in the U-Haul, while driving North toward Michigan, as Husband moves there for the foreseeable future.)

4. That the court divide any proceeds remaining from the sale of the home 50/50, while ordering both parties to continue assuming responsibility for the debts in their respective names. [REDACTED] Husband requests that his half of the split be paid directly to his mother, "Marsha A. Fenton" [REDACTED] [REDACTED] to help setup a trust for the future needs of Husband, educationally or otherwise. (Provided there is enough money to justify doing so.)

5. That in addition to the 50/50 split requested above, that the court repay Husband's mother, "Marsha A. Fenton" [REDACTED] \$10,000 directly out of Wife's



share of the sale proceeds, prior to paying any other debts, obligations, or creditors, except for the two mortgages. This is to reimburse Husband's mother for the expense of defending Husband against these totally unnecessary litigious claims, without even addressing the divorce yet in a conventional manner. Wife had previously assured Husband that she was finished with her litigious assaults, yet Wife still elected to execute her largest, most unfair, brilliant, but absolutely devastating legal assault upon Husband to date, again, without a moments warning. Husband therefore request the court to order Wife to repay Marsha A. Fenton for her resulting losses.

6. That at least a sum of \$21,000 be paid to Husband's mother, Marsha A. Fenton, to repay Husbands debts to her, prior to paying off any other debts, obligations or creditors, except as stated herein.

7. That the court payoff the outstanding balances to Husband's legal counsel \$8,600 to Marty Duke and \$2,579.39 to Schaffer Law Firm, directly out of Wife's share of the sale proceeds, immediately following the repayment of Husband's mother, prior to paying off any other debts, obligations or creditors, except as stated herein.

8. That the court award Husband transitional alimony, which the court automatically deducts from wife's paycheck, in the amount of \$1,000 per month, for a period of four years, and wife be ordered to have her bankruptcy plan modified to compensate for this.

9. If there are any emergencies where Wife cannot legally pay alimony for any reason, that all missed payments be added onto the end of the four years, so that the overall benefit to Husband is not diminished in the end. (With the proposed alimony of \$1,000 per

month for a period of 4 years, that would equal a total alimony to be paid by Wife to Husband, of \$48,000.)

10. That after the full four year term of alimony is paid, by Wife to Husband, after having made up for any months missed throughout, that Wife should owe Husband, no more alimony or support of any kind, ever again, regardless of Husband's health, need or any other circumstances, conditions, or factors.

11. That Wife's employer keep Husband insured, as Mr. Ken Adkisson previously promised until the end of this year, or until Wife is no longer employed with that firm, whichever comes first.

12. That afterwards, Husband be responsible for his own insurance needs, without demand or oversight by this court.

13. That the court would order that neither the Wife, nor her counsel, can further litigate, sue, or harass husband, by means of legal actions or otherwise.

14. That the court order a "do not contact" on both parties for a period of one year, regarding the other.

15. That both parties execute mutual lifetime "hold harmless" agreements, to include protection both to and from their families, employers, and friends, in addition to themselves.

16. The court order the auction date to be extended by a period of three-weeks after the final litigation is entered/heard in this matter, or after a 2-month moratorium is ordered by the court, forbidding anymore legal filings, until Husband has had an opportunity to complete his move to Michigan and get settled. During which time Husband

is not to be disturbed by any of the parties in this matter, so that he can focus on packing and realistically have a chance to complete it, on such a short deadline.

17. An Order be entered allowing Wife to sign any necessary listing contracts or agreements to sell the home including closing documents on behalf of she and Husband.

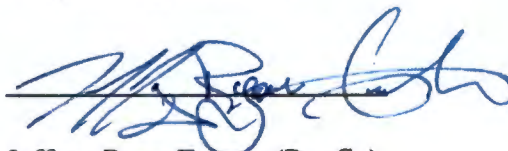
Tenn. Code § 39-16-507(a)(3) Coercion or Persuasion of Witness:

(a) A person commits an offense who, by means of coercion, influences or attempts to influence a witness or prospective witness in an official proceeding with intent to influence the witness to:

(3) ...be absent from an official proceeding to which the witness has been legally summoned.

(b) A violation of this section is a Class D felony.

Respectfully submitted,



Jeffrey Ryan Fenton (Pro Se)  
1986 Sunnyside Drive  
Brentwood, TN 37027  
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(615) 837-1300

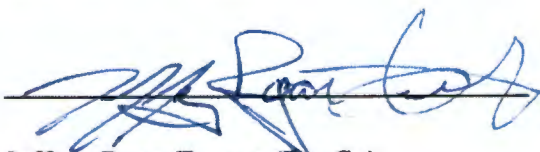
This Motion is expected to be heard on the 29th day of August, 2019 at 9:00 a.m. If no written Response to this Motion is filed and served in a time set by Local Rules of Practice, the Motion may be granted without a hearing.

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was forwarded via email, hand-delivered, and/or first-class mail to Virginia Lee Story, Attorney for Wife, at 136 4<sup>th</sup> Avenue South, Franklin, TN 37064, on this the 29 day of August, 2019.

Tenn. R. Sup. Ct. 3.4 - Fairness to Opposing Party and Counsel:  
A lawyer shall not:

(g) request or assist any person to take action that will render the person unavailable to appear as a witness by way of deposition or at trial;




Jeffrey Ryan Fenton (Pro Se)

The COA refused to consider this, instead they demanded that I write an "appellant brief" before they would consider anything further, or relief of any kind. I told the COA that I was unable (didn't know how) to write an "appellant brief" due to the overwhelming amount of fraud which took place by Story and Binkley. I provided sworn testimony to the COA that Binkley was bias, refused to hear me, and collusive with Story, making everything in #48419B VOID. I also provided sworn testimony to the COA that Story was excessively abusive, violated the rules of conduct almost non-stop, and that Binkley and Story cast harsh, punitive, "default" judgments against me, after they had wrongfully evicted me from my home and driven me out of the State of Tennessee. By the illegal actions of Binkley and Story I was prohibited from physically being present in Tennessee to participate in court in person. Knowing that they had told me during court on 8/29/2019, that I could participate in the next hearing over the telephone, but once I was over the state line, they reneged on everything they said during court on 8/29/2019, which could benefit me. Per 455(a) both Binkley & Story were "disqualified" repeatedly, by their criminal misconduct. Chancery Court lost all lawful jurisdiction & authority.



UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

**FILED - LN**

January 19, 2024 4:49 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY jlg / SCANNED BY 

**CASE NO. 1:23-cv-1097**

**JEFFREY RYAN FENTON,**  
  
PLAINTIFF  
  
v.  
  
**VIRGINIA LEE STORY ET AL.,**  
  
DEFENDANTS

**MEMORANDUM OF LAW REGARDING COURT ACTIONS IN TENNESSEE**

**Disqualification for Bias: Tenn. R. Sup. Ct. 2.11 and 28 U.S.C. § 455(a)  
Coercion or Persuasion of Witness — Tenn. Code § 39-16-507(a)(3) FACTS**

**FACTS AND BACKGROUND**

1. Defendants orchestrated a scheme by which Plaintiff's ex-wife, Ms. Fenton, had secretly defaulted upon their mortgage payments and then filed for bankruptcy without notice to Plaintiff.<sup>1</sup> Then they motioned for the forced sale of the marital residence<sup>2</sup> in the Williamson County Chancery Court in Tennessee (hereinafter "Chancery Court"), where the case was "fixed<sup>3</sup>," rather than seeking the sale of the marital residence in the U.S. Bankruptcy Court for

<sup>1</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1760-1761

<sup>2</sup> [https://rico.jefffenton.com/evidence/2019-07-17\\_chancery-motion-to-sell-marital-residence.pdf](https://rico.jefffenton.com/evidence/2019-07-17_chancery-motion-to-sell-marital-residence.pdf)

<sup>3</sup> [https://rico.jefffenton.com/evidence/2022-02-01\\_fenton-affidavit-of-story-binkley-fraud-on-court.pdf](https://rico.jefffenton.com/evidence/2022-02-01_fenton-affidavit-of-story-binkley-fraud-on-court.pdf)

the Middle District of Tennessee<sup>4</sup> (hereinafter “Bankruptcy Court”) as was required by federal law.

2. The Chancery Court usurped—or the Bankruptcy Court abdicated—jurisdiction<sup>5</sup> over the marital home, in violation of 28 U.S. Code § 1334(e)(1),<sup>6</sup> which states: “The district court in which a case under title 11 is commenced or is pending shall have exclusive jurisdiction—of all the property, wherever located, of the debtor as of the commencement of such case, and of property of the estate.”

3. Furthermore, the motion to sell the marital residence was “core” to the bankruptcy, which merely reinforces the fact that a federal court was required to hear the proposed property deprivation in order to provide Plaintiff and his two lawful tenants/roommates with “adequate protection” throughout the bankruptcy.

4. In addition to that, the bankruptcy action was on its face fraudulent, with false details about Plaintiff’s<sup>7</sup> and Ms. Fenton’s property interests<sup>8</sup> in the marital residence<sup>9</sup>, which also fraudulently concealed Ms. Fenton’s domestic support obligations<sup>10</sup> that previously

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<sup>4</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1874-1924

<sup>5</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882 (See e.g., *In re Palmer*, 78 B.R. 402, 405-06 (Bankr. E.D.N.Y. 1987))

<sup>6</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882

<sup>7</sup> [https://rico.jefffenton.com/evidence/2011-04-29\\_1986-sunnyside-brentwood-tn-deed.pdf](https://rico.jefffenton.com/evidence/2011-04-29_1986-sunnyside-brentwood-tn-deed.pdf)

<sup>8</sup> [https://rico.jefffenton.com/evidence/2011-04-29\\_fenton-marital-residence-tenancy-by-entirety.pdf](https://rico.jefffenton.com/evidence/2011-04-29_fenton-marital-residence-tenancy-by-entirety.pdf)

<sup>9</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.479 ~ ECF No. 1-13, PageID.596

<sup>10</sup> [https://rico.jefffenton.com/evidence/2018-10-27\\_verbal-settlement-agreement.pdf](https://rico.jefffenton.com/evidence/2018-10-27_verbal-settlement-agreement.pdf)

existed<sup>11</sup>, Plaintiff actively needed, and had been agreed upon and promised into the future<sup>12</sup>.

5. Furthermore, on Ms. Fenton's Chapter-13<sup>13</sup> bankruptcy petition (Case: 3:19-bk-02693), Doc 1, Page 27 of 50, entered on 4/26/2019, paragraph 13 asked, "Do you expect an increase or decrease within the year after you file this form?" The choice checked on Ms. Fenton's bankruptcy petition was "No",<sup>14</sup> but that is false and is further evidence of the bankruptcy fraud planned and executed by a conspiracy between her two teams of counsel, working in state and federal bankruptcy courts concurrently.

6. On August 30<sup>th</sup>, 2018, during Plaintiff's and Ms Fenton's prior negotiations for an amicable divorce with collaborative divorce professional Sandy Arons<sup>15</sup>, MBA, Ms. Fenton sent Plaintiff and Ms. Arons an email<sup>16</sup> stating in part, "*Our office lease is up in March 2020, and Ken really wants to retire, and so there's no telling what my job will be after that.*"

7. This was the triggering event for Ms. Fenton's scheduled financial demise, planned along with her bankruptcy by her counsel in both state and federal courts to avoid paying Plaintiff the \$1,750<sup>17</sup> in "transitional alimony" for a duration of six years, as had been previously agreed.

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<sup>11</sup> [https://rico.jefffenton.com/evidence/2018-05-02\\_family-budget-living-apart.pdf](https://rico.jefffenton.com/evidence/2018-05-02_family-budget-living-apart.pdf)

<sup>12</sup> [https://rico.jefffenton.com/evidence/2018-10-27\\_verbal-settlement-agreement.pdf](https://rico.jefffenton.com/evidence/2018-10-27_verbal-settlement-agreement.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-26, PageID.1317-1318)

<sup>13</sup> [https://rico.jefffenton.com/evidence/2019-08-14\\_bankruptcy-planned-for-when-employer-retires.pdf](https://rico.jefffenton.com/evidence/2019-08-14_bankruptcy-planned-for-when-employer-retires.pdf)

<sup>14</sup> [https://rico.jefffenton.com/evidence/2019-04-26\\_bankruptcy-planned-for-when-employer-retires.pdf](https://rico.jefffenton.com/evidence/2019-04-26_bankruptcy-planned-for-when-employer-retires.pdf)

<sup>15</sup> [https://rico.jefffenton.com/evidence/2023-12-31\\_declaration-about-arons-and-associates.pdf](https://rico.jefffenton.com/evidence/2023-12-31_declaration-about-arons-and-associates.pdf)

<sup>16</sup> [https://rico.jefffenton.com/evidence/2018-08-30\\_wife-notifies-about-employers-retirement.pdf](https://rico.jefffenton.com/evidence/2018-08-30_wife-notifies-about-employers-retirement.pdf)

<sup>17</sup> [https://rico.jefffenton.com/evidence/2018-10-27\\_verbal-settlement-agreement.pdf](https://rico.jefffenton.com/evidence/2018-10-27_verbal-settlement-agreement.pdf)



8. Any action planted squarely inside a fraudulent action in another court, especially for the express purpose of intentionally deceiving both courts while circumventing the rights and protections required to be obeyed in that court prior to the deprivation of the property, is fraud sowed upon fraud and can beget nothing other than fraud compounded.

9. The reason certain defendants chose this route was because they wanted to force the sale of the marital residence, but Plaintiff had lawful possession of the property and was not at all agreeable with selling it. Plaintiff's life, shelter, income, and ability to rebuild his independence and recover after their divorce, as well as his ability to maintain and enjoy a lifestyle to which he had both earned and become accustomed, along with any realistic possibility of him ever being able to retire, all hinged upon the Plaintiff retaining—not relinquishing—his investments in the marital residence<sup>18</sup>.

10. The Chancery Court was specifically forbidden from exercising jurisdiction over the property<sup>19</sup> because it was included in a federal bankruptcy estate that instantly formed the moment the bankruptcy was filed, which happened thirty-nine days before any action had been filed in Chancery Court and ninety-seven days before Plaintiff's first hearing before defendant Binkley.

11. Plaintiff and his tenants<sup>20</sup> were due notice and a hearing in federal court per the

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<sup>18</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.518 ~ ECF No. 1-13, PageID.542

<sup>19</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1895

<sup>20</sup> [https://rico.jefffenton.com/evidence/2019-03-26\\_fenton-sunnyside-roommate-lease-merriman.pdf](https://rico.jefffenton.com/evidence/2019-03-26_fenton-sunnyside-roommate-lease-merriman.pdf)  
[https://rico.jefffenton.com/evidence/2019-04-09\\_fenton-sunnyside-roommate-lease-garcia.pdf](https://rico.jefffenton.com/evidence/2019-04-09_fenton-sunnyside-roommate-lease-garcia.pdf)

Federal Rules of Bankruptcy Procedure (Rule 7001) and subsequent federal bankruptcy laws<sup>21</sup>.

12. Had this been done legally, it would have ultimately led to the Bankruptcy Court requiring the bankruptcy trustee to remove Ms. Fenton as the “Debtor in Possession” (because she was not “in possession”) and removing the marital residence from Ms. Fenton’s secret “Bankruptcy Estate” as a “Burdensome Asset”.

13. Per 11 U.S.C. § 363<sup>22</sup> - Use, sale, or lease of property, subsection (h) “Notwithstanding subsection (f) of this section, the trustee may sell both the estate’s interest, under subsection (b) or (c) of this section, and the interest of any co-owner in property in which the debtor had, at the time of the commencement of the case, an undivided interest as a tenant in common, joint tenant, or tenant by the entirety, only if— (3) the benefit to the estate of a sale of such property free of the interests of co-owners outweighs the detriment, if any, to such co-owners;” (emphasis added). Under the circumstances, this was impossible.

14. The interests of both Plaintiff<sup>23</sup> and his tenants<sup>24</sup> outweighed any potential benefit to the bankruptcy estate. The home auctioned only for the amount of the mortgages, plus auctioning and closing costs. Plaintiff was able and willing to bring the mortgages current and keep them current with the help of his family, but defendant Story refused, saying that it was

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<sup>21</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1874-1924

<sup>22</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1898, PageID.1903-1906

<sup>23</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.479 ~ ECF No. 1-13, PageID.596

<sup>24</sup> [https://rico.jefffenton.com/evidence/2019-04-09\\_fenton-sunnyside-roommate-lease-garcia.pdf](https://rico.jefffenton.com/evidence/2019-04-09_fenton-sunnyside-roommate-lease-garcia.pdf)  
[https://rico.jefffenton.com/evidence/2019-03-26\\_fenton-sunnyside-roommate-lease-merriman.pdf](https://rico.jefffenton.com/evidence/2019-03-26_fenton-sunnyside-roommate-lease-merriman.pdf)

“too far along in the bankruptcy.” This was a violation of due process as well as federal bankruptcy laws—and ultimately both state and federal constitutions.

**Adversary Proceeding in Federal District or Bankruptcy Court**

**The Trustee was required to provide Plaintiff and his two tenants/roommates with notices & hearings in federal court. Plaintiff had the following valid property interests: legal title, ownership, controlling, possession/enjoyment/use, beneficial, equitable, exclusion, investment, income, future. Plaintiff’s tenants had secure one-year leasehold interests.**

**Rule 7001. Scope of Rules of Part VII**

An adversary proceeding is governed by the rules of this Part VII. The following are adversary proceedings:

- (1) a proceeding to recover money or property, other than a proceeding to compel the debtor to deliver property to the trustee, or a proceeding under §554(b) or §725 of the Code, Rule 2017, or Rule 6002;
- (2) a proceeding to determine the validity, priority, or extent of a lien or other interest in property, but not a proceeding under Rule 3012 or Rule 4003(d);
- (3) a proceeding to obtain approval under §363(h) for the sale of both the interest of the estate and of a co-owner in property;
- (4) a proceeding to object to or revoke a discharge, other than an objection to discharge under §§727(a)(8),<sup>1</sup> (a)(9), or 1328(f);
- (5) a proceeding to revoke an order of confirmation of a chapter 11, chapter 12, or chapter 13 plan;
- (6) a proceeding to determine the dischargeability of a debt;
- (7) a proceeding to obtain an injunction or other equitable relief, except when a chapter 9, chapter 11, chapter 12, or chapter 13 plan provides for the relief;
- (8) a proceeding to subordinate any allowed claim or interest, except when a chapter 9, chapter 11, chapter 12, or chapter 13 plan provides for subordination;
- (9) a proceeding to obtain a declaratory judgment relating to any of the foregoing; or
- (10) a proceeding to determine a claim or cause of action removed under 28 U.S.C. §1452.

**§ 363. Use, sale, or lease of property** **skipped**

(b)(1) The trustee, after notice and a hearing, may use, sell, or lease, other than in the ordinary course of business, property of the estate, trustee may not sell or lease personally identifiable information to any person unless—

(e) Notwithstanding any other provision of this section, at any time, on request of an entity that has an interest in property used, sold, or leased, or proposed to be used, sold, or leased, by the trustee, the court, with or without a hearing, shall prohibit or condition such use, sale, or lease as is necessary to provide adequate protection of such interest. **(skipped)**

(f) The trustee may sell property under subsection (b) or (c) of this section free and clear of any interest in such property of an entity other than the estate, only if—

(1) applicable nonbankruptcy law permits sale of such property free and clear of such interest; **(failed)**

(2) such entity consents; **(failed)**

(g) Notwithstanding subsection (f) of this section, the trustee may sell property under subsection (b) or (c) of this section free and clear of any vested or contingent right in the nature of dower or curtesy.

(h) Notwithstanding subsection (f) of this section, the trustee may sell both the estate’s interest, under subsection (b) or (c) of this section, and the interest of any co-owner in property in which the debtor had, at the time of the commencement of the case, an undivided interest as a tenant in common, joint tenant, or tenant by the entirety, only if— **(failed)**

(1) partition in kind of such property among the estate and such co-owners is impracticable;

(2) sale of the estate’s undivided interest in such property would realize significantly less for the estate than sale of such property free of the interests of such co-owners;

(3) the benefit to the estate of a sale of such property free of the interests of co-owners outweighs the detriment, if any, to such co-owners; and **(failed)**



15. The Chancery Court only acted as though they heard and decided one issue allegedly based upon the merits<sup>25</sup>, that being the “Motion to Sell the Marital Residence<sup>26</sup>” filed by defendant Story on 7/17/2019.

16. The other filings by defendant Story<sup>27</sup>, including and/or leading to the divorce decree<sup>28</sup> (whereby they refused to even begin discovery) and the order of protection<sup>29</sup>, which was filed in bad faith, for ulterior purposes<sup>30</sup>, and with false claims, leveraged an “unsigned personal testimony<sup>31</sup>” allegedly by Ms. Fenton.

17. Plaintiff was never notified that the mortgages had entered default<sup>32</sup>, nor that Ms. Fenton had filed for bankruptcy<sup>33</sup>. Defendant Story also synchronized events to abruptly terminate all spousal support previously paid to Plaintiff, immediately upon service of process for the divorce. Defendants Ausbrooks and Story concealed Ms. Fenton’s voluntary role as the family’s primary breadwinner from 2011-2019 along with the fact that she had paid spousal

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<sup>25</sup> [https://rico.jefffenton.com/evidence/2019-08-01\\_chancery-court-order-with-counsel.pdf](https://rico.jefffenton.com/evidence/2019-08-01_chancery-court-order-with-counsel.pdf)

<sup>26</sup> [https://rico.jefffenton.com/evidence/2019-07-17\\_chancery-motion-to-sell-marital-residence.pdf](https://rico.jefffenton.com/evidence/2019-07-17_chancery-motion-to-sell-marital-residence.pdf)

<sup>27</sup> [https://rico.jefffenton.com/evidence/2019-10-21\\_fraudulent-final-affidavit-by-virginia-story.pdf](https://rico.jefffenton.com/evidence/2019-10-21_fraudulent-final-affidavit-by-virginia-story.pdf)

<sup>28</sup> [https://rico.jefffenton.com/evidence/2019-10-21\\_chancery-final-decree-of-divorce.pdf](https://rico.jefffenton.com/evidence/2019-10-21_chancery-final-decree-of-divorce.pdf)

<sup>29</sup> [https://rico.jefffenton.com/evidence/2019-10-21\\_order-of-protection-as-illegal-prior-restraint.pdf](https://rico.jefffenton.com/evidence/2019-10-21_order-of-protection-as-illegal-prior-restraint.pdf)

<sup>30</sup> [https://rico.jefffenton.com/evidence/2021-03-21\\_knox-news-binkley-threatens-prior-restraints.pdf](https://rico.jefffenton.com/evidence/2021-03-21_knox-news-binkley-threatens-prior-restraints.pdf)

[https://rico.jefffenton.com/evidence/2021-03-21\\_knox-news-binkley-threatens-prior-restraints.mp4](https://rico.jefffenton.com/evidence/2021-03-21_knox-news-binkley-threatens-prior-restraints.mp4)

<https://www.knoxnews.com/story/news/crime/2021/03/22/tennessee-appeals-court-pulls-judge-michael-binkley-casey-moreland-brian-manookian/4450016001/>

<sup>31</sup> [https://rico.jefffenton.com/evidence/2019-06-20\\_wifes-false-unsigned-personal-testimony-for-op.pdf](https://rico.jefffenton.com/evidence/2019-06-20_wifes-false-unsigned-personal-testimony-for-op.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-31, PageID.1805-1808)

<sup>32</sup> [https://rico.jefffenton.com/evidence/2018-04-23\\_wife-locked-plaintiff-out-of-financial-accounts.pdf](https://rico.jefffenton.com/evidence/2018-04-23_wife-locked-plaintiff-out-of-financial-accounts.pdf)

<sup>33</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1760-1761

support<sup>34</sup> and promised to pay substantial alimony<sup>35</sup> after the divorce. This fact was withheld from both courts, while counsel colluded in bad-faith and falsified her bankruptcy filing.

18. Plaintiff was forced to release his counsel<sup>36</sup> and proceed *pro se*, after exhausting \$9,500 to primarily defend against malicious predatory claims,<sup>37</sup> while the actual divorce itself had yet to proceed in any meaningful way and was instead never actually litigated according to law.

19. An alleged violation of the “*Ex parte* Order of Protection” related to an emotional post Plaintiff made on Facebook, which he quickly deleted after being notified by his mother it could be misinterpreted, was leveraged by certain defendants to rush Plaintiff back into Chancery Court.

20. In court defendant Story stated, “Your Honor, the motion that we are here on today is a motion for violation of the order of the court that was August 14th of '19... I am not here today to argue about that motion necessarily. The more pressing matter... was the deadlines for getting this house sold.”

21. Defendant Story continued, “What is obvious, Your Honor, is you’re going to have to set a date for him to be out... he’s got to be out for them to get this place ready to go... I

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<sup>34</sup> [https://rico.jefffenton.com/evidence/2018-05-02\\_family-budget-living-apart.pdf](https://rico.jefffenton.com/evidence/2018-05-02_family-budget-living-apart.pdf)

<sup>35</sup> [https://rico.jefffenton.com/evidence/2018-10-27\\_verbal-settlement-agreement.pdf](https://rico.jefffenton.com/evidence/2018-10-27_verbal-settlement-agreement.pdf)

[https://rico.jefffenton.com/evidence/2023-12-31\\_declaration-about-arons-and-associates.pdf](https://rico.jefffenton.com/evidence/2023-12-31_declaration-about-arons-and-associates.pdf)

<sup>36</sup> [https://rico.jefffenton.com/evidence/2019-08-02\\_attorneys-miller-duke-retainer-exhausted.pdf](https://rico.jefffenton.com/evidence/2019-08-02_attorneys-miller-duke-retainer-exhausted.pdf)

<sup>37</sup> [https://rico.jefffenton.com/evidence/2019-07-26\\_attorney-gates-failed-to-perform.pdf](https://rico.jefffenton.com/evidence/2019-07-26_attorney-gates-failed-to-perform.pdf)

have seen correspondence where he said September 1st.” (Defendant Story actually proposed September 1<sup>st</sup> in an email with Plaintiff’s prior counsel, Plaintiff never mentioned or agreed to such.) “Now he’s saying he can’t. So I would suggest September 3rd, which is next Tuesday. And I would like the Order to reflect that the Williamson County sheriff’s department will accompany him... Off the property. And I don’t think he needs to take any property.”

22. During the hearing on August 29, 2019<sup>38</sup>, in Chancery Court, defendants Story and Binkley collaborated to issue an order wrongfully evicting Plaintiff from his home, with only a five-day notice, while depriving him of taking his personal property. Defendant Story fraudulently claimed, “if you let him take anything out at this point it’s going to be sold and he’s dissipating marital assets, which would be in violation of the restraining order.” (Transcript page 6, lines 20-23).

23. This was clearly false, as defendant Story knew, since Plaintiff had emailed her the night prior to correct those false claims (which she had voiced to his prior counsel), in hopes of preventing more defamatory fraud upon the court by officers of the court.

24. In fact, defendant Story’s Complaint for Divorce filed in Chancery Court, docket #48419B, on June 4, 2019, stated in section IV. “Plaintiff would show that the parties have no assets other than personal property which has been divided with the exception of a few items. Husband and Wife have lived separately since April 2018.” (emphasis added, Transcript of

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<sup>38</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jeffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)  
[https://rico.jeffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jeffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)



Evidence, Page 2, Section 4).

**IV.**

Plaintiff would show that the parties have no assets other than personal property which has been divided with the exception of a few items. Husband and Wife have lived separately since April 2018.

*[Faded text from the source document]*

**Wife's Complaint for Divorce, Page 2, Section IV  
Case 1:23-cv-01097-PLM-RSK, ECF 1-17, PageID.648**

25. Every nagging attempt that defendant Story made to convert Plaintiff's personal property back into marital property—while Ms. Fenton's personal property was already removed and separate—was purely fraud.

26. Furthermore, defendant Story had twice provided lists to Plaintiff's prior counsel, once in an email dated 8/2/2019 and a second time in a letter on 8/23/2019 (after the scheduled walk through, ordered by the court), containing the personal property that her client wanted and that still remained at the marital residence.

27. There was only *one* marital property item of contention, which was a three-year-old television costing \$1,000 when it was purchased new. Nothing was sold within the statutory injunction since the divorce had been filed, as Plaintiff had already informed defendant Story, yet she had no interest in the truth. This was a flagrant violation of defendant Story's oath of office, fraud upon the court, obstruction of justice, financial exploitation of vulnerable person (Tenn.

Code § 39-15-502), destruction of and tampering with governmental records (Tenn. Code § 39-16-504), and coercion or persuasion of witness (Tenn. Code § 39-16-507).

28. Defendant Story used this lie with the assistance of defendant Binkley to forcefully take Plaintiff's home<sup>39</sup> and subsequently render him destitute and homeless, knowing that this would force his geographic displacement nearly 600 miles away in Michigan to seek shelter<sup>40</sup> and provisions from his elderly mother.

29. Defendant Story's claims were a direct departure from the dialog during the 8/1/2019 hearing<sup>41</sup>, along with the subsequent court order<sup>42</sup>. Prior to needing to release his counsel (due to financial constraints), Plaintiff was allowed to remain in the marital residence until the auction provided both replacement housing along with the money necessary to move.

30. In fact, the "Ex Parte Order Of Protection Extended Pending Final Hearing And Order Granting Motion To Sell Marital Residence" from the 8/1/2019 hearing, filed for entry on 8/14/2019, clearly states the following (Chancery Court #48419B, Technical Record, Pages 110-112): "The attorneys for the parties will agree upon a date and time for Wife to walk through the home, since Wife has not been in the house since March 2018, to identify items of personal property and to inspect the premises. Wife will provide a list to Husband within ten (10) days from August 1,2019, through their counsel, of the items of personal property that she would like

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<sup>39</sup> [https://rico.jefffenton.com/evidence/2019-10-21\\_chancery-final-decree-of-divorce.pdf](https://rico.jefffenton.com/evidence/2019-10-21_chancery-final-decree-of-divorce.pdf)

<sup>40</sup> [https://rico.jefffenton.com/evidence/2019-07-29\\_response-to-wifes-motion-to-sell-residence.pdf](https://rico.jefffenton.com/evidence/2019-07-29_response-to-wifes-motion-to-sell-residence.pdf)

<sup>41</sup> [https://rico.jefffenton.com/evidence/2019-08-01\\_chancery-hearing-transcript.pdf](https://rico.jefffenton.com/evidence/2019-08-01_chancery-hearing-transcript.pdf)

<sup>42</sup> [https://rico.jefffenton.com/evidence/2019-08-01\\_chancery-court-order-with-counsel.pdf](https://rico.jefffenton.com/evidence/2019-08-01_chancery-court-order-with-counsel.pdf)

to obtain and the parties will either agree upon the same or, if they cannot agree, then Wife may file a Motion with the Court to choose the items on her list. Husband will take such actions as necessary to move items of personal property that he would like to retain and tag, price or do whatever steps are necessary to sell the remaining items of personal property. The remaining items at the house that Husband does not take and Wife does not take shall be sold at auction.”

31. Therefore, every party from the Tennessee appellate court<sup>43</sup> to the administrative office<sup>44</sup> should have easily discerned the foul-play<sup>45</sup> by the defendants Story and Binkley since Plaintiff expressly advised them of such and as evidenced in his claims, motions, and requests for help, made to them. Plaintiff provided both transcripts of evidence along with the subsequent court orders, while clearly articulating the discrepancies. Yet despite Plaintiff’s damages and the fact that Plaintiff would remain destroyed for many years to come (due to the fraudulent six-year, out-of-jurisdiction, bad-faith<sup>46</sup>, *default* “Order of Protection”), no court, judge, department, or party chose to intervene and mitigate Plaintiff’s damages, or the cost of the entire suit for the state and all parties herein. They likewise refused their supervisory duties over lower court judges per the judicial canons, violated their oaths of office, and failed to correct or report both

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<sup>43</sup> [https://rico.jefffenton.com/evidence/2021-01-19\\_fenton-seeking-help-tnsc-coa-aoc-bpr-fbi-ustp.pdf](https://rico.jefffenton.com/evidence/2021-01-19_fenton-seeking-help-tnsc-coa-aoc-bpr-fbi-ustp.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1665 ~ ECF No. 1-30, PageID.1793)

<sup>44</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1665-1681, PageID.1699-1703)

<sup>45</sup> [https://rico.jefffenton.com/evidence/2021-12-02\\_fbi-mark-shafer-binkley-story-corruption.pdf](https://rico.jefffenton.com/evidence/2021-12-02_fbi-mark-shafer-binkley-story-corruption.pdf)  
[https://rico.jefffenton.com/evidence/2021-12-02\\_fbi-mark-shafer-binkley-story-corruption.mp3](https://rico.jefffenton.com/evidence/2021-12-02_fbi-mark-shafer-binkley-story-corruption.mp3)  
[https://rico.jefffenton.com/evidence/2022-02-01\\_fenton-affidavit-of-story-binkley-fraud-on-court.pdf](https://rico.jefffenton.com/evidence/2022-02-01_fenton-affidavit-of-story-binkley-fraud-on-court.pdf)

<sup>46</sup> [https://rico.jefffenton.com/evidence/2019-10-21\\_fraudulent-final-affidavit-by-virginia-story.pdf](https://rico.jefffenton.com/evidence/2019-10-21_fraudulent-final-affidavit-by-virginia-story.pdf)



judicial and attorney misconduct<sup>47</sup>, which is the responsibility of every bar member.

32. During the 8/29/2019 hearing<sup>48</sup>, Plaintiff asked, “Just as a question, were we saying that I disobeyed the Court order?” To which defendant Binkley answered, “No, no, we don’t have anything like that really in front of us...” (Transcript page 11, lines 2-6)

33. Once Plaintiff was forced to represent himself *pro se*, everything changed, while defendants Story and Binkley took turns “tag-teaming” him.

34. Plaintiff asked what he had “done wrong to receive that kind of treatment,” informing the Chancery Court that his “wife had two months to move out.” (Transcript page 17, lines 4-6).

35. Defendant Binkley responded, “Sir, we have already talked about all that. We had a previous hearing. We have a previous Court Order. You’re representing yourself. You’re assuming to know everything we’ve already talked about. I’m not going to go over it with you and spend four hours –” (Transcript page 17, lines 7-12).

36. Plaintiff reminded defendant Binkley, “On the last Court Order<sup>49</sup> you said that I could take my stuff with me after the ten-day walkthrough. That’s what your last Court Order said, and I would like to be able to do that.” (Transcript page 18, lines 18-21).

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<sup>47</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-40, PageID.2068-2090 (<https://tnjudicial.org/c/a/jrf102.pdf>)

<sup>48</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jeffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)

[https://rico.jeffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jeffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)

<sup>49</sup> [https://rico.jeffenton.com/evidence/2019-08-01\\_chancery-court-order-with-counsel.pdf](https://rico.jeffenton.com/evidence/2019-08-01_chancery-court-order-with-counsel.pdf)

[https://rico.jeffenton.com/evidence/2019-08-01\\_chancery-hearing-transcript.pdf](https://rico.jeffenton.com/evidence/2019-08-01_chancery-hearing-transcript.pdf)

37. Defendant Binkley demanded, "...Your personal items, sir. You're not stupid. Listen, please. Your personal items are your clothes, your personal jewelry, and that's it." (Transcript page 19, lines 2-5).

38. Plaintiff asked, "My bed or my furniture?" (Transcript page 19, line 6).

39. Defendant Binkley demanded, "No, sir. I'm going to say it for the third time. No furniture, no furnishings, no nothing." (Transcript page 19, lines 2-5).

40. Again, Plaintiff attempted to correct defendant Binkley: "That's not what you said in the last order." (Transcript page 19, lines 10-11).

41. Defendant Binkley proceeded to chastise Plaintiff, "Sir, you're not paying attention. You're not listening to what has happened. You're not paying attention to anything. And I'm not going to spend three or four hours here at the—just trying to be nice to you and go through everything again. I'm just not going to do that. You're expected to know all of this. Now, you're choosing to represent yourself. There's not a thing that I can do about that." (Transcript page 19, lines 12-21).

42. In fact, Plaintiff *was* paying attention to what had happened and was correct—that defendants Story and Binkley were committing fraud on the court.

43. Upon receipt of the subsequent court order, Plaintiff saw significant discrepancies in the written order from what had taken place in the Chancery Court the day prior.

44. Giving defendants Story, Binkley, and Chancery Court the benefit of the doubt that possibly it could have been an honest error, Plaintiff tried emphatically to contact the

Chancery Court, defendants Binkley and Story, in an emergency effort to reconcile the discrepancies before further damage was done, but was ignored and denied.

45. The Chancery Court ordered Plaintiff's eviction with just a five-day notice, over a holiday weekend.<sup>50</sup> Executed and enforced by four sheriff's deputies from the County. The deputy sheriffs were actually leveraged by the defendants Story and Binkley to execute and then enforce multiple criminal felonies against Plaintiff on behalf of defendants Story and Binkley. This was unconscionable, and the refusal by the courts and the state to help cure this atrocity is beyond words.

#### COURT RULES<sup>51</sup>

46. The wrongful eviction was also a violation of at least the following Rules of Professional Conduct:

- (1) Tenn. R. Sup. Ct. 3.4(e)(1) Fairness to Opposing Party and Counsel — allude to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence, (g) request or assist any person to take action that will render the person unavailable to appear as a witness by way of deposition or at trial
- (2) Tenn. R. Sup. Ct. 3.5(e) Impartiality and Decorum of The Tribunal — engage in conduct intended to disrupt a tribunal.
- (3) Tenn. R. Sup. Ct. 8.4 MISCONDUCT (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another; (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects; (c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation; (d)

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<sup>50</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-court-order-once-pro-se.pdf](https://rico.jefffenton.com/evidence/2019-08-29_chancery-court-order-once-pro-se.pdf)

<sup>51</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-40, PageID.2068-2090 (<https://tnjudicial.org/c/a/jrf102.pdf>)



engage in conduct that is prejudicial to the administration of justice; (f) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law.

#### CASE LAW

47. The U.S. Supreme Court stated that “when a state officer acts under a state law in a manner violative of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States.” *Scheuer v. Rhodes*, 416 U.S. 232, 94 S. Ct. 1683, 1687 (1974).

48. In 1994, the U.S. Supreme Court held that “Disqualification is required if an objective observer would entertain reasonable questions about the judge’s impartiality. If a judge’s attitude or state of mind leads a detached observer to conclude that a fair and impartial hearing is unlikely, the judge must be disqualified.” *Liteky v. United States*, 510 U.S. 540, 114 S.Ct. (1994).

49. “Recusal under Section 455 is self-executing; a party need not file affidavits in support of recusal and the judge is obligated to recuse herself sua sponte under the stated circumstances.” *Taylor v. O’Grady*, 888 F.2d 1189 (7th Cir. 1989).

50. The Supreme Court has ruled and has reaffirmed the principle that “justice must satisfy the appearance of justice”. *Levine v. United States*, 362 U.S. 610, 80 S.Ct. 1038 (1960), citing *Offutt v. United States*, 348 U.S. 11, 14, 75 S.Ct. 11, 13 (1954).

51. Should a judge not disqualify himself, then the judge is in violation of the Due Process Clause of the U.S. Constitution. *United States v. Sciuto*, 531 F.2d 842 (7th Cir. 1976).

52. Acts in excess of judicial authority constitutes misconduct, particularly where a judge deliberately disregards the requirements of fairness and due process. *Gonzalez v. Commission on Judicial Performance*, (1983) 33 Cal. 3d 359, 371, 374; \**Cannon v. Commission on Judicial Qualifications*, (1975) 14 Cal. 3d 678, 694.

53. “No judicial process, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and an attempt to enforce it beyond these boundaries is nothing less than lawless violence.” *Ableman v. Booth*, 62 U.S. 506 (1858).

54. “The innocent individual who is harmed by an abuse of governmental authority is assured that he will be compensated for his injury.” *Owen v. City of Independence*, 445 U.S. 622 (1980).

## CONCLUSION

55. The order<sup>52</sup> created and issued by defendants Story and Binkley subsequent to Plaintiff's August 29, 2019, hearing<sup>53</sup> in Chancery Court to wrongfully evict the plaintiff, leaving him no shelter or provision within the state of Tennessee, with just five-days-notice, knowing

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<sup>52</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-court-order-once-pro-se.pdf](https://rico.jefffenton.com/evidence/2019-08-29_chancery-court-order-once-pro-se.pdf)

<sup>53</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)  
[https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)

that he would be forced to relocate to the Michigan<sup>54</sup> (far beyond the jurisdiction of the state of Tennessee and the Chancery Court), was not only without question biased and discriminatory, but also a clear criminal felony, “by means of coercion, influences or attempts to influence a witness or prospective witness in an official proceeding with intent to influence the witness: to be absent from an official proceeding to which the witness has been legally summoned” (emphasis added). What defendants did was felony criminal conspiracy, obstruction of justice, and “coercion or persuasion of witness” Tenn. Code § 39-16-507(a)(3), a class D felony.

56. If not prior, once defendant Binkley helped defendant Story commit these crimes against Plaintiff, he was automatically disqualified per Tenn. R. Sup. Ct. 2.1(a)(1) and 28 U.S.C. § 455(a), (b)(1), whereupon he was immediately stripped of all lawful authority in docket #48419B. Similarly, the Chancery Court was stripped of all lawful jurisdiction to hear or decide any related matter in docket #48419B after 8/29/2019.

57. Had defendant Binkley timely recused himself, as his office required, and been replaced by another judge, or had Plaintiff not been forced beyond the lawful jurisdiction of the state of Tennessee, due to the crimes and misconduct committed against him by defendants Story and Binkley in this case, then the Chancery Court may have retained jurisdiction while assigning another judge who did not have the obvious bias and conflicts of interest possessed by

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<sup>54</sup> [https://rico.jeffenton.com/evidence/2019-07-29\\_response-to-wifes-motion-to-sell-residence.pdf](https://rico.jeffenton.com/evidence/2019-07-29_response-to-wifes-motion-to-sell-residence.pdf)



defendant Binkley.<sup>55</sup>

58. However, since the Chancery Court was literally leveraged in a criminal racketeering scheme,<sup>56</sup> by which to strategically circumvent the Federal Rules of Bankruptcy Procedure and multiple federal bankruptcy laws<sup>57</sup> for the primary purpose of lawlessly depriving the plaintiff of his rights, adequate protection (as required under the federal bankruptcy laws), and his property,<sup>58</sup> which the Bankruptcy Court could not lawfully force the sale of, there is no active good-faith case involving the plaintiff in the Chancery Court, without fraud on the court being the primary element, cause, and purpose for the action.

59. Since such a purpose is in utter defiance of the federal rules, it cannot possibly establish and retain jurisdiction for that court and over a litigant once that litigant has relocated to another area in the country, especially subsequent to the criminal damages caused that litigant by the court itself. To entertain the possibility of a court keeping lawful jurisdiction over a litigant who was forced beyond its jurisdictional borders, to survive the criminal actions and damages caused by that court, is so far beyond absurd, Plaintiff believes that this conclusion should speak for itself.

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<sup>55</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-15, PageID.621-624, ECF No. 1-15, PageID.625, ECF No. 1-14, PageID.611 (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-14, PageID.597 ~ ECF No. 1-15, PageID.620)

<sup>56</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1880 (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1874-1924)

<sup>57</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1874-1924

<sup>58</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.479 ~ ECF No. 1-13, PageID.596

60. Every action taken by the Chancery Court in docket #48419B<sup>59</sup> is *void*, always has been, always will be, and must be vacated as a matter of law, in the interest of justice.

61. Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct, except as to matters herein stated to be on information and belief, and as to such matters, I certify as aforesaid that I verily believe the same to be true, and I further declare that Ms. Fenton's "unsigned personal testimony"<sup>60</sup> in docket #48419B, technical records volume-1, pages 15-16, filed in the Chancery Court along with her Petition for an Order of Protection<sup>61</sup>, is fraudulent and substantially false.

January 18, 2024

  
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<sup>59</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.641 ~ ECF No. 1-26, PageID.1369

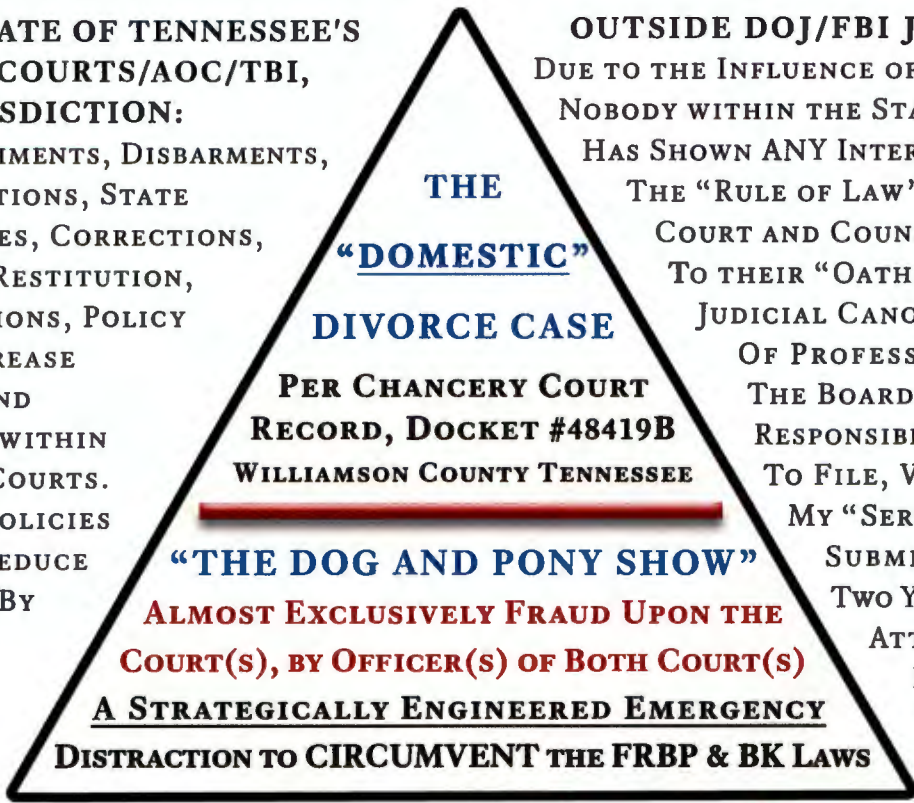
<sup>60</sup> [https://rico.jefffenton.com/evidence/2019-06-20\\_wifes-false-unsigned-personal-testimony-for-op.pdf](https://rico.jefffenton.com/evidence/2019-06-20_wifes-false-unsigned-personal-testimony-for-op.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.661-662)

<sup>61</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.655-678

**1**



**INSIDE THE STATE OF TENNESSEE'S LEGISLATURE/COURTS/AOC/TBI, BJC & BPR JURISDICTION:**  
 ARRESTS, IMPEACHMENTS, DISBARMENTS, DISCIPLINARY ACTIONS, STATE CRIMINAL CHARGES, CORRECTIONS, EXPUNGEMENTS, RESTITUTION, DAMAGES, SANCTIONS, POLICY CHANGES TO INCREASE TRANSPARENCY AND ACCOUNTABILITY WITHIN ALL TENNESSEE COURTS. MORE UNIFORM POLICIES STATE-WIDE TO REDUCE DISCRIMINATION BY LOCAL RULES.  
**MANDATORY DISCLOSURES & RECUSALS OF HEARING CASES BY "FRIENDS".**



**OUTSIDE DOJ/FBI JURISDICTION:**  
 DUE TO THE INFLUENCE OF THE "PLAYERS", NOBODY WITHIN THE STATE OF TENNESSEE HAS SHOWN ANY INTEREST IN ENFORCING THE "RULE OF LAW" OR HOLDING THE COURT AND COUNSEL ACCOUNTABLE TO THEIR "OATHS OF OFFICE", THE JUDICIAL CANONS, OR THE RULES OF PROFESSIONAL CONDUCT. THE BOARD OF PROFESSIONAL RESPONSIBILITY HAS REFUSED TO FILE, VET AND ACT UPON MY "SERIOUS COMPLAINT" SUBMITTED WELL OVER TWO YEARS-AGO; AGAINST ATTORNEYS VIRGINIA LEE STORY, MARY BETH AUSBROOKS, ELAINE BEELER, AND "FRIENDS".

**INSIDE DOJ/FBI JURISDICTION**  
**BANKRUPTCY CASE 3:19-BK-02693**  
 FRBP 7001 ADVERSARY PROCEEDINGS  
 FRBP 9011 ATTORNEY CERTIFICATION  
 28 USC §§ 1927, 1334, 1335 — JURISDICTION  
 11 USC §§ 363(b)(1), (e) NOTICE & HEARING  
 11 USC § 363(h) SELL IF BENEFIT TO ESTATE  
 11 USC §§ 541, 542, 543 Estate Property/Turnover  
 18 USC § 241 CONSPIRACY AGAINST RIGHTS  
 18 USC § 242 DEPRIVATION (COLOR OF LAW)  
 18 USC §§ 157, 1341 BK FRAUD(S) & SWINDLES  
**18 USC § 1503 OBSTRUCTION OF JUSTICE**  
 18 USC § 1519 FALSIFYING BK RECORDS  
 18 USC § 1951 HOBBS' ACT EXTORTION  
 18 USC § 1957 UNLAWFUL PROPERTY TRANS.

**IN DOJ/FBI/TBI JURISDICTION**  
**CONSTITUTIONAL, STATE, AND — FEDERAL CRIMES —**  
**COMMITTED BY BOTH COURTS AND COUNSEL COLLUSIVELY:**  
 CONSPIRACY AGAINST RIGHTS, DEPRIVATION OF PROPERTY AND LIBERTY UNDER COLOR OF LAW, WITHOUT NOTICE/EQUAL OR DUE PROCESS. MALICIOUS LITIGATION, ABUSE, CRUELTY, FAILURE TO INTERVENE, NEGLECT TO PREVENT, CIVIL RIGHTS INTIMIDATION, COERCION, THEFT, EXTORTION, UNDER COLOR OF OFFICIAL RIGHT, ADA COERCION THREATS, INTERFERENCE, RETALIATION.

**SYNOPSIS:** Family Court Attorney, Virginia Lee Story (in Williamson County Chancery Court) Conspired with Bankruptcy Specialist, Attorney Mary Elizabeth Maney Ausbrooks (in U.S. Bankruptcy Court for the Middle District of Tennessee), well over a Month in Advance of my Ex-wife's **secret** Divorce Filing & Ambush. The Crux of this Conspiracy Conducted by Counsel, with the Fraudulent Assistance by BOTH Courts, was to CIRCUMVENT the "Federal Rules of Bankruptcy Procedure" (FRBP) and a Multitude of Federal Bankruptcy Laws, so they could Illegally FORCE the Deprivation of Multiple Property Interests (purchased/owned/held) by MYSELF in 1986 Sunnyside Drive, Brentwood, TN 37027; as well as by my two Roommates/Tenants State & Federally Protected "Leasehold Property Interests". Each of which Required an "Adversarial Proceeding", including **NOTICES & HEARINGS** in **Federal District Court**, or **Federal Bankruptcy Court**. Under the circumstances, the State Courts were specifically FORBIDDEN from Exercising Jurisdiction. The BK Trustee was REQUIRED to REMOVE the PROPERTY from my Ex-wife's **secret** "BANKRUPTCY ESTATE", as a "BURDENSOME ASSET", long before I met Judge Michael W. Binkley.

## 28 U.S.C. § 455

### Section 455 - Disqualification of justice, judge, or magistrate judge

- (a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
- (b) He shall also disqualify himself in the following circumstances:
- (1) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;
  - (2) Where in private practice he served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it;
  - (3) Where he has served in governmental employment and in such capacity participated as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy;
  - (4) He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding;
  - (5) He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:
    - (i) Is a party to the proceeding, or an officer, director, or trustee of a party;
    - (ii) Is acting as a lawyer in the proceeding;
    - (iii) Is known by the judge to have an interest that could be substantially affected by the outcome of the proceeding;
    - (iv) Is to the judge's knowledge likely to be a material witness in the proceeding.
- (c) A judge should inform himself about his personal and fiduciary financial interests, and make a reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household.
- (d) For the purposes of this section the following words or phrases shall have the meaning indicated:
- (1) "proceeding" includes pretrial, trial, appellate review, or other stages of litigation;
  - (2) the degree of relationship is calculated according to the civil law system;
  - (3) "fiduciary" includes such relationships as executor, administrator, trustee, and guardian;



## Tenn. R. Sup. Ct. 2.11

### Rule 2.11 - Disqualification

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

(2) The judge knows that the judge, the judge's spouse or domestic partner, or a person within the third degree of relationship to either of them, or the spouse or domestic partner of such a person is:

(a) a party to the proceeding, or an officer, director, general partner, managing member, or trustee of a party;

(b) acting as a lawyer in the proceeding;

(c) a person who has more than a de minimis interest that could be substantially affected by the proceeding; or

(d) likely to be a material witness in the proceeding.

(3) The judge knows that he or she, individually or as a fiduciary, or the judge's spouse, domestic partner, parent, or child, or any other member of the judge's family residing in the judge's household, has an economic interest in the subject matter in controversy or is a party to the proceeding.

(4) The judge knows or learns by means of a timely motion that a party, a party's lawyer, or the law firm of a party's lawyer has made contributions or given such support to the judge's campaign that the judge's impartiality might reasonably be questioned.

(5) The judge, while a judge or a judicial candidate, has made a public statement, other than in a court proceeding, judicial decision, or opinion, that commits or appears to commit the judge to reach a particular result or rule in a particular way in the proceeding or controversy.

(6) The judge:

(a) served as a lawyer in the matter in controversy, or was associated with a lawyer who participated substantially as a lawyer in the matter during such association;

(b) served in governmental employment, and in such capacity participated personally and substantially as a lawyer or public official concerning the proceeding, or has publicly expressed in such capacity an opinion concerning the merits of the particular matter in controversy;

(c) was a material witness concerning the matter;



## Tenn. Code § 39-16-507

### Section 39-16-507 - Coercion or persuasion of witness

**(a)** A person commits an offense who, by means of coercion, influences or attempts to influence a witness or prospective witness in an official proceeding with intent to influence the witness to:

- (1)** Testify falsely;
- (2)** Withhold any truthful testimony, truthful information, document or thing; or
- (3)** Elude legal process summoning the witness to testify or supply evidence, or to be absent from an official proceeding to which the witness has been legally summoned.

**(b)** A violation of this section is a Class D felony.

**(c)** A defendant in a criminal case involving domestic assault, pursuant to § 39-13-111, or a person acting at the direction of the defendant, commits an offense who, by any means of persuasion that is not coercion, intentionally influences or attempts to influence a witness or prospective witness in an official proceeding to:

- (1)** Testify falsely;
- (2)** Withhold any truthful testimony, information, document, or evidence; or
- (3)** Elude legal process summoning the witness to testify or supply evidence, or to be absent from an official proceeding to which the witness has been legally summoned.

**(d)** A violation of subsection (c) is a Class A misdemeanor and, upon conviction, the sentence runs consecutively to the sentence for any other offense that is based in whole or in part on the factual allegations about which the person was seeking to influence a witness.

**(e)** Nothing in this section shall operate to impede the investigative activities of an attorney representing a defendant.

*T.C.A. § 39-16-507*

Amended by 2019 Tenn. Acts, ch. 104,s 1, eff. 7/1/2019.  
Acts 1989, ch. 591, § 1; 1990, ch. 980, § 8.

## Tenn. R. Sup. Ct. 2.15

### Rule 2.15 - Responding to Judicial and Lawyer Misconduct

- (A) A judge having knowledge that another judge has committed a violation of this Code that raises a substantial question regarding the judge's honesty, trustworthiness, or fitness as a judge in other respects shall inform the appropriate authority.
- (B) A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question regarding the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate authority.
- (C) A judge who receives information indicating a substantial likelihood that another judge has committed a violation of this Code shall take appropriate action.
- (D) A judge who receives information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct shall take appropriate action.

*Tenn. R. Sup. Ct. 2.15*

#### **Comment**

*[1] Taking action to address known misconduct is a judge's obligation. Paragraphs (A) and (B) impose an obligation on the judge to report to the appropriate disciplinary authority the known misconduct of another judge or a lawyer that raises a substantial question regarding the honesty, trustworthiness, or fitness of that judge or lawyer. Ignoring or denying known misconduct among one's judicial colleagues or members of the legal profession undermines a judge's responsibility to participate in efforts to ensure public respect for the justice system. This Rule limits the reporting obligation to those offenses that an independent judiciary must vigorously endeavor to prevent.*

*[2] A judge who does not have actual knowledge that another judge or a lawyer may have committed misconduct, but receives information indicating a substantial likelihood of such misconduct, is required to take appropriate action under paragraphs (C) and (D). Appropriate action may include, but is not limited to, communicating directly with the judge who may have violated this Code, communicating with a supervising judge, or reporting the suspected violation to the appropriate authority or other agency or body. Similarly, actions to be taken in response to information indicating that a lawyer has committed a violation of the Rules of Professional Conduct may include but are not limited to communicating directly with the lawyer who may have committed the violation, or reporting the suspected violation to the appropriate authority or other agency or body.*

## Tenn. R. Sup. Ct. 3.3

### Rule 3.3 - Candor Toward the Tribunal

**(a)** A lawyer shall not knowingly:

- (1)** make a false statement of fact or law to a tribunal; or
- (2)** fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or
- (3)** in an ex parte proceeding, fail to inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse.

**(b)** A lawyer shall not offer evidence the lawyer knows to be false, except that a lawyer who represents a defendant in a criminal proceeding, and who has been denied permission to withdraw from the defendant's representation after compliance with paragraph (f), may allow the client to testify by way of an undirected narrative or take such other action as is necessary to honor the defendant's constitutional rights in connection with the proceeding.

**(c)** A lawyer shall not affirm the validity of, or otherwise use, any evidence the lawyer knows to be false.

**(d)** A lawyer may refuse to offer or use evidence, other than the testimony of a client who is a defendant in a criminal matter, that the lawyer reasonably believes is false, misleading, fraudulent or illegally obtained.

**(e)** If a lawyer knows that the lawyer's client intends to perpetrate a fraud upon the tribunal or otherwise commit an offense against the administration of justice in connection with the proceeding, including improper conduct toward a juror or a member of the jury pool, or comes to know, prior to the conclusion of the proceeding, that the client has, during the course of the lawyer's representation, perpetrated such a crime or fraud, the lawyer shall advise the client to refrain from, or to disclose or otherwise rectify, the crime or fraud and shall discuss with the client the consequences of the client's failure to do so.

**(f)** If a lawyer, after discussion with the client as required by paragraph (e), knows that the client still intends to perpetrate the crime or fraud, or refuses or is unable to disclose or otherwise rectify the crime or fraud, the lawyer shall seek permission of the tribunal to withdraw from the representation of the client and shall inform the tribunal, without further disclosure of information protected by RPC 1.6, that the lawyer's request to withdraw is required by the Rules of Professional Conduct.

**(g)** A lawyer who, prior to conclusion of the proceeding, comes to know that the lawyer has offered false tangible or documentary evidence shall withdraw or disaffirm such evidence without further disclosure of information protected by RPC 1.6.

**(h)** A lawyer who, prior to the conclusion of the proceeding, comes to know that a person other than the client has perpetrated a fraud upon the tribunal or otherwise committed an offense against the administration of justice in connection with the proceeding, and in which the lawyer's client was not implicated, shall promptly report the improper conduct to the



tribunal, even if so doing requires the disclosure of information otherwise protected by RPC 1.6.

(i) A lawyer who, prior to conclusion of the proceeding, comes to know of improper conduct by or toward a juror or a member of the jury pool shall report the improper conduct to the tribunal, even if so doing requires the disclosure of information otherwise protected by RPC 1.6.

(j) If, in response to a lawyer's request to withdraw from the representation of the client or the lawyer's report of a perjury, fraud, or offense against the administration of justice by a person other than the lawyer's client, a tribunal requests additional information that the lawyer can only provide by disclosing information protected by RPC 1.6 or 1.9(c), the lawyer shall comply with the request, but only if finally ordered to do so by the tribunal after the lawyer has asserted on behalf of the client all non-frivolous claims that the information sought by the tribunal is protected by the attorney-client privilege.

*Tenn. R. Sup. Ct. 3.3*

**Comment**

*[1] This Rule governs the conduct of a lawyer who is representing a client in connection with the proceedings of a tribunal, such as a court or an administrative agency acting in an adjudicative capacity. It applies not only when the lawyer appears before the tribunal, but also when the lawyer participates in activities conducted pursuant to the tribunal's authority, such as pre-trial discovery in a civil matter.*

*[2] The advocate's task is to present the client's case with persuasive force. Performance of that duty while maintaining confidences of the client is qualified by the advocate's duty to refrain from assisting a client to perpetrate a fraud upon the tribunal. However, an advocate does not vouch for the evidence submitted in a cause; the tribunal is responsible for assessing its probative value.*

**Representations by a Lawyer**

*[3] An advocate is responsible for pleadings and other documents prepared for litigation, but is usually not required to have personal knowledge of matters asserted therein, for litigation documents ordinarily present assertions by the client, or by someone on the client's behalf, and not assertions by the lawyer. Compare RPC 3.1. However, an assertion purporting to be on the lawyer's own knowledge, as in an affidavit by the lawyer or in a statement in open court, may properly be made only when the lawyer knows the assertion is true or believes it to be true on the basis of a reasonably diligent inquiry. There are circumstances where failure to make a disclosure is the equivalent of an affirmative misrepresentation. The obligation prescribed in RPC 1.2(d) not to counsel a client to commit, or assist the client in committing a fraud, applies in litigation. Regarding compliance with RPC 1.2(d), see the Comment to that Rule and also Comments [1] and [7] to RPC 8.4.*

**Misleading Legal Argument**

*[4] Legal argument based on a knowingly false representation of law constitutes dishonesty toward the tribunal. A lawyer is not required to make a disinterested exposition of the law, but must recognize the existence of pertinent legal authorities. Furthermore, as stated in paragraph (a)(2), an advocate has a duty to disclose directly adverse authority in the controlling jurisdiction that has not been disclosed by the opposing party. The underlying concept is that legal argument is a discussion seeking to determine the legal premises properly applicable to the case.*

**Ex Parte Proceedings**

[5] Ordinarily, an advocate has the limited responsibility of presenting one side of the matters that a tribunal should consider in reaching a decision; the conflicting position is expected to be presented by the opposing party. However, in an *ex parte* proceeding, such as an application for a temporary restraining order or one conducted pursuant to RPC 1.7(c), there is no balance of presentation by opposing advocates. The object of an *ex parte* proceeding is nevertheless to yield a substantially just result. The judge has an affirmative responsibility to accord the absent party just consideration. As provided in paragraph (a)(3), the lawyer for the represented party has the correlative duty to make disclosures of material facts known to the lawyer and that the lawyer reasonably believes are necessary to an informed decision.

**Refusing to Offer or Use False Evidence**

[6] When evidence that a lawyer knows to be false is provided by a person who is not the client, the lawyer must refuse to offer it regardless of the client's wishes. The lawyer must similarly refuse to offer a client's testimony that the lawyer knows to be false, except that paragraph (b) permits the lawyer to allow a criminal defendant to testify by way of narrative if the lawyer's request to withdraw, as required by paragraph (f), is denied. Paragraph (c) precludes a lawyer from affirming the validity of, or otherwise using, any evidence the lawyer knows to be false, including the narrative testimony of a criminal defendant.

[7] As provided in paragraph (d), a lawyer has authority to refuse to offer or use testimony or other proof that the lawyer believes is untrustworthy. Offering such proof may reflect adversely on the lawyer's ability to discriminate in the quality of evidence and thus impair the lawyer's effectiveness as an advocate. Because of the special protections historically provided criminal defendants, however, this Rule does not permit a lawyer to refuse to offer or use the testimony of such a client because the lawyer reasonably believes the testimony to be false. Unless the lawyer knows the testimony will be false, the lawyer must honor the client's decision to testify.

**Wrongdoing in Adjudicative Proceedings by Clients and Others**

[8] A lawyer who is representing a client in an adjudicative proceeding and comes to know prior to the completion of the proceeding that the client has perpetrated a fraud or committed perjury or another offense against the administration of justice, or intends to do so before the end of the proceeding, is in a difficult position in which the lawyer must strike a professionally responsible balance between the lawyer's duties of loyalty and confidentiality owed to the client and the equally important duty of the lawyer to avoid assisting the client with the consummation of the fraud or perjury. In all such cases, paragraph (e) requires the lawyer to advise the client to desist from or to rectify the crime or fraud and inform the client of the consequences of a failure to do so. The hard questions come in those rare cases in which the client refuses to reveal the misconduct and prohibits the lawyer from doing so.

[9] Paragraph (f) sets forth the lawyer's responsibilities in situations in which the lawyer's client is implicated in the misconduct. In these situations, the Rules do not permit the lawyer to report the client's offense. Confidentiality under RPC 1.6 prevails over the lawyer's duty of candor to the tribunal. Only if the client is implicated in misconduct by or toward a juror or a member of the jury pool does the lawyer's duty of candor to the tribunal prevail over confidentiality. See paragraph (i).

[10] Although the lawyer may not reveal the client's misconduct, the lawyer must not voluntarily continue to represent the client, for to do so without disclosure of the misconduct would assist the client to consummate the offense. The Rule, therefore, requires the lawyer to seek permission of the tribunal to withdraw from the representation of the client. To increase the likelihood that the tribunal will permit the lawyer to withdraw, the lawyer is also required to inform the tribunal that the request for permission to withdraw is required by the Rules of Professional Conduct. This statement also serves to advise the tribunal that something is amiss without providing

*the tribunal with any of the information related to the representation that is protected by RPC 1.6. These Rules, therefore, are intended to preserve confidentiality while requiring the lawyer to act so as not to assist the client with the consummation of the fraud. This reflects a judgment that the legal system will be best served by rules that encourage clients to confide in their lawyers, who in turn will advise them to rectify the fraud. Many, if not most, clients will abide by their lawyer's advice, particularly if the lawyer spells out the consequences of failing to do so. At the same time, our legal system and profession cannot permit lawyers to assist clients who refuse to follow their advice and insist on consummating an ongoing fraud.*

*[11] Once the lawyer has made a request for permission to withdraw, the tribunal may grant or deny the request to withdraw without further inquiry or may seek more information from the lawyer about the reasons for the lawyer's request. If the judge seeks more information, the lawyer must resist disclosure of information protected by RPC 1.6, but only to the extent that the lawyer may do so in compliance with RPC 3.1. If the lawyer cannot make a non-frivolous argument that the information sought by the tribunal is protected by the attorney-client privilege, the lawyer must respond truthfully to the inquiry. If, however, there is a non-frivolous argument that the information sought is privileged, paragraph (h) requires the lawyer to invoke the privilege. Whether to seek an interlocutory appeal from an adverse decision with respect to the claim of privilege is governed by RPCs 1.2 and 3.1.*

*[12] If a lawyer is required to seek permission from a tribunal to withdraw from the representation of a client in either a civil or criminal proceeding because the client has refused to rectify a perjury or fraud, it is ultimately the responsibility of the tribunal to determine whether the lawyer will be permitted to withdraw from the representation. In a criminal proceeding, however, a decision to permit the lawyer's withdrawal may implicate the constitutional rights of the accused and may even have the effect of precluding further prosecution of the client. Notwithstanding this possibility, the lawyer must seek permission to withdraw, leaving it to the prosecutor to object to the request and to the tribunal to ultimately determine whether withdrawal is permitted. If permission to withdraw is not granted, the lawyer must continue to represent the client, but cannot assist the client in consummating the fraud or perjury by directly or indirectly using the perjured testimony or false evidence during the current or any subsequent stage of the proceeding. A defense lawyer who complies with these rules acts professionally without regard to the effect of the lawyer's compliance on the outcome of the proceeding.*

#### ***False Documentary or Tangible Evidence***

*[13] If a lawyer comes to know that tangible items or documents that the lawyer has previously offered into evidence have been altered or falsified, paragraph (g) requires that the lawyer withdraw or disaffirm the evidence, but does not otherwise permit disclosure of information protected by RPC 1.6. Because disaffirmance, like withdrawal, can be accomplished without disclosure of information protected by RPC 1.6, it is required when necessary for the lawyer to avoid assisting a fraud on the tribunal.*

#### ***Crimes or Frauds by Persons Other than the Client***

*[14] Paragraph (h) applies if the lawyer comes to know that a person other than the client has engaged in misconduct in connection with the proceeding. Upon learning prior to the completion of the proceeding that such misconduct has occurred, the lawyer is required by paragraph (e) to promptly reveal the offense to the tribunal. The client's interest in protecting the wrongdoer is not sufficiently important as to override the lawyer's duty of candor to the court and to take affirmative steps to prevent the administration of justice from being tainted by perjury, fraud, or other improper conduct.*

#### ***Misconduct By or Toward Jurors or Members of Jury Pool***



*[15] Because jury tampering undermines the institutional mechanism that our adversary system of justice uses to determine the truth or falsity of testimony or evidence, paragraph (i) requires a lawyer who learns prior to the completion of the proceeding that there has been misconduct by or directed toward a juror or prospective juror must reveal the misconduct and the identity of the perpetrator to the tribunal, even if so doing requires disclosure of information protected by RPC 1.6. Paragraph (i) does not require that the lawyer seek permission to withdraw from the further representation of the client in the proceeding, but in cases in which the client is implicated in the jury tampering, the lawyer's continued representation of the client may violate RPC 1.7. RPC 1.16(a)(1) would then require the lawyer to seek permission to withdraw from the case.*

***Crime or Fraud Discovered After Conclusion of Proceeding***

*[16] In cases in which the lawyer learns of the client's misconduct after the termination of the proceeding in which the misconduct occurred, the lawyer is prohibited from reporting the client's misconduct to the tribunal. Even though the lawyer may have innocently assisted the client to perpetrate the offense, the lawyer should treat this information as the lawyer would treat information with respect to any past crime a client might have committed. The client's offense will be deemed completed as of the conclusion of the proceeding. An offense that occurs at an earlier stage in the proceeding will be deemed an ongoing offense until the final stage of the proceeding is completed. A proceeding has concluded within the meaning of this Rule when a final judgment in the proceeding has been affirmed on appeal or the time for an appeal has passed.*

***Constitutional Requirements***

*[17] These Rules apply to defense counsel in criminal cases, as well as in other instances. However, the definition of the lawyer's ethical duty in such a situation may be qualified by constitutional provisions for due process and the right to counsel in criminal cases. The obligation of the advocate under these Rules is subordinate to any such constitutional requirement.*

*DEFINITIONAL CROSS-REFERENCES "Fraud" and "fraudulent" See RPC 1.0(d) "Knowingly," "known," and "knows" See RPC 1.0(f) "Material" See RPC 1.0(o) "Reasonably believes" See RPC 1.0(i) "Tribunal" See RPC 1.0(m)*

## Tenn. R. Sup. Ct. 3.4

### Rule 3.4 - Fairness to Opposing Party and Counsel

A lawyer shall not:

- (a) unlawfully obstruct another party's access to evidence or unlawfully alter, destroy, or conceal a document or other material having potential evidentiary value. A lawyer shall not counsel or assist another person to do any such act; or
- (b) falsify evidence, counsel or assist a witness to offer false or misleading testimony; or
- (c) knowingly disobey an obligation under the rules of a tribunal, except for an open refusal based on an assertion that no valid obligation exists; or
- (d) in pretrial procedure, make a frivolous discovery request or fail to make a reasonably diligent effort to comply with a legally proper discovery request by an opposing party; or
- (e) in trial,
  - (1) allude to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence; or
  - (2) assert personal knowledge of facts in issue except when testifying as a witness; or
  - (3) state a personal opinion as to the justness of a cause, the credibility of a witness, the culpability of a civil litigant or the guilt or innocence of an accused; or
- (f) request a person other than a client to refrain from voluntarily giving relevant information to another party unless:
  - (1) the person is a relative or an employee or other agent of a client; and
  - (2) the lawyer reasonably believes that the person's interests will not be adversely affected by refraining from giving such information; or
- (g) request or assist any person to take action that will render the person unavailable to appear as a witness by way of deposition or at trial; or
- (h) offer an inducement to a witness that is prohibited by law; or pay, offer to pay, or acquiesce in the payment of compensation to a witness contingent on the content of his or her testimony or the outcome of the case. A lawyer may advance, guarantee, or acquiesce in the payment of:
  - (1) expenses reasonably incurred by a witness in attending or testifying;
  - (2) reasonable compensation to a witness for that witness's loss of time in attending or testifying; or
  - (3) a reasonable fee for the professional services of an expert witness.

*Tenn. R. Sup. Ct. 3.4*

*Comment*

*[1] The procedure of the adversary system contemplates that the evidence in a case is to be marshaled competitively by the contending parties. Fair competition in the adversary system is secured by prohibitions against destruction or concealment of evidence, improperly influencing witnesses, obstructive tactics in discovery procedure, and the like.*

*[2] Documents and other items of evidence are often essential to establish a claim or defense. Subject to evidentiary privileges, the right of an opposing party, including the government, to obtain evidence through discovery or subpoena is an important procedural right. The exercise of that right can be frustrated if relevant material is altered, concealed, or destroyed. Applicable law in many jurisdictions makes it an offense to destroy material for the purpose of impairing its availability in a pending proceeding or one whose commencement can be foreseen. Falsifying evidence is also generally a criminal offense. Paragraph (a) applies to evidentiary material generally, including computerized information. Applicable law may permit a lawyer to take temporary possession of physical evidence of client crimes for the purpose of conducting a limited examination that will not alter or destroy material characteristics of the evidence. In such a case, applicable law may require the lawyer to turn the evidence over to the police or other prosecuting authority, depending on the circumstances.*

*[3] Although paragraph (f) broadly prohibits lawyers from taking extrajudicial action to impede informal fact-gathering, it does permit the lawyer to request that the lawyer's client, and relatives, employees, or agents of the client, refrain from voluntarily giving information to another party. This principle follows because such relatives and employees will normally identify their interests with those of the client. See also RPC 4.2.*

*[4] With regard to paragraph (h), it is not improper to pay a witness's expenses or to compensate an expert witness on terms permitted by law. The common law rule in most jurisdictions is that it is improper to pay an occurrence witness any fee for testifying and that it is improper to pay an expert witness a contingent fee.*

*DEFINITIONAL CROSS-REFERENCES "Knowingly" See RPC 1.0(f) "Material" See RPC 1.0(o) "Reasonable" and "reasonably" See RPC 1.0(h) "Reasonably believes" See RPC 1.0(i) "Tribunal" See RPC 1.0(m)*



## Tenn. R. Sup. Ct. 3.5

### Rule 3.5 - Impartiality and Decorum of The Tribunal

A lawyer shall not:

- (a) seek to influence a judge, juror, prospective juror, or other official by means prohibited by law;
- (b) communicate ex parte with such a person during the proceeding unless authorized to do so by law or court order;
- (c) communicate with a juror or prospective juror after discharge of the jury if:
  - (1) the communication is prohibited by law or court order;
  - (2) the juror has made known to the lawyer a desire not to communicate; or
  - (3) the communication involves misrepresentation, coercion, duress, or harassment;
- (d) conduct a vexatious or harassing investigation of a juror or prospective juror; or
- (e) engage in conduct intended to disrupt a tribunal.

*Tenn. R. Sup. Ct. 3.5*

#### **Comment**

[1] Many forms of improper influence upon a tribunal are proscribed by criminal law. Others are specified in the Tennessee Code of Judicial Conduct, with which an advocate should be familiar. A lawyer is required to avoid contributing to a violation of such provisions. For example, a lawyer shall not give or lend anything of value to a judge, judicial officer, or employee of a tribunal, except as permitted by RJC 3.13 of the Code of Judicial Conduct. A lawyer, however, may make a contribution to the campaign fund of a candidate for judicial office in conformity with RJC 4.4 of the Code of Judicial Conduct.

[2] During a proceeding a lawyer may not communicate ex parte with persons serving in an official capacity in the proceeding, such as judges, masters or jurors, unless authorized to do so by law or court order. Unless such a communication is otherwise prohibited by law or court order, paragraph (b) of this Rule would not prohibit a lawyer from communicating with a judge on the merits of the cause in writing if the lawyer promptly delivers a copy of the writing to opposing counsel and to parties who are not represented by counsel because that would not be an ex parte communication.

[3] Paragraph (b) also does not prohibit a lawyer from communicating with a judge in an ex parte hearing to establish the absence of a conflict of interest under RPC 1.7(c). In such proceedings, the lawyer is of course bound by the duty of candor in RPC 3.3(a)(3).

[4] A lawyer may on occasion want to communicate with a juror or prospective juror after the jury has been discharged. The lawyer may do so unless the communication is prohibited by law or a court order entered in the case or by a federal court rule, but must respect the desire of the juror not to talk with the lawyer. The lawyer may not engage in improper conduct during the communication. As the Court stated in *State v. Thomas*, 813 S.W. 2d. 395 (Tenn. 1991): "After the trial, communication by a lawyer with jurors is permitted so long as he [or she] refrains from asking questions or making comments that tend to harass or embarrass the juror or to influence actions of the juror in future cases. Were a lawyer to be prohibited from communicating after trial with a juror, he [or she] could

*not ascertain if the verdict might be subject to legal challenge, in which event the invalidity of a verdict might go undetected." Id. (quoting Tenn. Sup. Ct. R. 8, EC 7-291 ). The Court went on to state in Thomas that "Rule 8 therefore allows post-trial interviews by Counsel with jurors on these matters without the prior approval of the trial court." Id. at 396. Although the Court's analysis in Thomas was based on an earlier version of Rule 8 (i.e., the Code of Professional Responsibility), the foregoing principles quoted from Thomas remain valid in the context of RPC 3.5.*

*[4a] A communication with, or an investigation of, the spouse, child, parent, or sibling of a juror or prospective juror will be deemed a communication with or an investigation of the juror or prospective juror.*

*[5] The advocate's function is to present evidence and argument so that the cause may be decided according to law. Refraining from abusive or obstreperous conduct is a corollary of the advocate's right to speak on behalf of litigants. A lawyer may stand firm against abuse by a judge, but should avoid reciprocation; the judge's default is no justification for similar dereliction by an advocate. An advocate can present the cause, protect the record for subsequent review, and preserve professional integrity by patient firmness no less effectively than by belligerence or theatrics.*

*[6] The duty to refrain from disruptive conduct applies to any proceeding of a tribunal, including a deposition. See RPC 1.0(m).*

*DEFINITIONAL CROSS-REFERENCES "Known" See RPC 1.0(f) "Tribunal" See RPC 1.0(m)*

## Tenn. R. Sup. Ct. 8.4

### Rule 8.4 - MISCONDUCT

It is professional misconduct for a lawyer to:

- (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects;
- (c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation;
- (d) engage in conduct that is prejudicial to the administration of justice;
- (e) state or imply an ability to influence a tribunal or a governmental agency or official on grounds unrelated to the merits of, or the procedures governing, the matter under consideration;
- (f) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law; or
- (g) knowingly fail to comply with a final court order entered in a proceeding in which the lawyer is a party, unless the lawyer is unable to comply with the order or is seeking in good faith to determine the validity, scope, meaning, or application of the law upon which the order is based.

*Tenn. R. Sup. Ct. 8.4*

#### *Comment*

*[1] Lawyers are subject to discipline when they violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another, as when they request or instruct an agent to do so on the lawyer's behalf. Paragraph (a), however, does not prohibit a lawyer from advising a client concerning action the client is legally entitled to take.*

*[2] Many kinds of illegal conduct reflect adversely on fitness to practice law, such as offenses involving fraud and the offense of willful failure to file an income tax return. However, some kinds of offenses carry no such implication. Traditionally, the distinction was drawn in terms of offenses involving "moral turpitude." That concept can be construed to include offenses concerning some matters of personal morality, such as adultery and comparable offenses, that have no specific connection to fitness for the practice of law. Although a lawyer is personally answerable to the entire criminal law, a lawyer should be professionally answerable only for offenses that indicate lack of those characteristics relevant to law practice. Offenses involving violence, dishonesty, breach of trust, or serious interference with the administration of justice are in that category. Although under certain circumstances a single offense reflecting adversely on a lawyer's fitness to practice - such as a minor assault - may not be sufficiently serious to warrant discipline, a pattern of repeated offenses, even ones that are of minor significance when considered separately, can indicate indifference to legal obligation.*

*[3] A lawyer who, in the course of representing a client, knowingly manifests, by words or conduct, bias or prejudice based on race, sex, religion, national origin, disability, age, sexual orientation, or socio-economic status violates paragraph (d) when such actions are prejudicial to the administration of justice. Legitimate advocacy respecting the foregoing factors does not violate paragraph (d).*



*[4] A lawyer may refuse to comply with an obligation imposed by law upon a good faith belief that no valid obligation exists. The provisions of RPC 1.2(d) concerning a good faith challenge to the validity, scope, meaning, or application of the law apply to challenges of legal regulation of the practice of law.*

*[5] Paragraph (c) prohibits lawyers from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation. Such conduct reflects adversely on the lawyer's fitness to practice law. In some circumstances, however, prosecutors are authorized by law to use, or to direct investigative agents to use, investigative techniques that might be regarded as deceitful. This Rule does not prohibit such conduct.*

*[6] The lawful secret or surreptitious recording of a conversation or the actions of another for the purpose of obtaining or preserving evidence does not, by itself, constitute conduct involving deceit or dishonesty. See RPC 4.4.*

*[7] Lawyers holding public office assume legal responsibilities going beyond those of other citizens. A lawyer's abuse of public office can suggest an inability to fulfill the professional role of lawyers. The same is true of abuse of positions of private trust such as trustee, executor, administrator, guardian, agent and officer, director, or manager of a corporation or other organization.*

*[8] Paragraph (f) precludes a lawyer from assisting a judge or judicial officer in conduct that is a violation of the rules of judicial conduct. A lawyer cannot, for example, make a gift, bequest, favor, or loan to a judge, or a member of the judge's family who resides in the judge's household, unless the judge would be permitted to accept, or acquiesce in the acceptance of such a gift, favor, bequest, or loan in accordance with RJC 3.13 of the Code of Judicial Conduct.*

*[9] In both their professional and personal activities, lawyers have special obligations to demonstrate respect for the law and legal institutions. Normally, a lawyer who knowingly fails to obey a court order demonstrates disrespect for the law that is prejudicial to the administration of justice. Failure to comply with a court order is not a disciplinary offense, however, when it does not evidence disrespect for the law either because the lawyer is unable to comply with the order or the lawyer is seeking in good faith to determine the validity, scope, meaning, or application of the law upon which the order is based.*

*DEFINITIONAL CROSS-REFERENCES "Fraud" See RPC 1.0(d) "Knowingly" See RPC 1.0(f) "Tribunal" See RPC 1.0(m)*

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IN THE CHANCERY COURT  
FOR WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN

FAWN [REDACTED] FENTON, )  
 )  
Plaintiff/Wife, )  
 )  
vs. )  
 )  
JEFFREY RYAN FENTON, )  
 )  
Defendant/Husband. )

No. 48419B

TRANSCRIPT OF PROCEEDINGS

August 1, 2019

Heard Before: HON. MICHAEL W. BINKLEY, JUDGE

Prepared by:  
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P R O C E E D I N G S

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3 MS. STORY: Your Honor, with your  
4 permission what we would like to do is leave the  
5 ex parte order of protection in place.

6 THE COURT: All right.

7 MS. STORY: That has given relief to  
8 these parties not being able to contact each  
9 other.

10 THE COURT: Okay.

11 MS. STORY: And put as part of that,  
12 that she does not contact him, he does not contact  
13 her, which the ex parte already has him restrained  
14 and enjoined from any contact whatsoever.

15 THE COURT: All right.

16 MS. STORY: Because what we don't  
17 want to do is have something go down on his  
18 record that's going to affect his employability,  
19 because he needs to get a job ASAP, so as long as  
20 we have the protection, the order of protection  
21 under the ex parte, we are good with that.

22 THE COURT: Okay.

23 MR. DUKE: Thank you, your Honor.

24 THE COURT: Any other issues?

25 MS. STORY: We can move on to the

1 sale of the house.

2 THE COURT: Okay.

3 MS. STORY. This is the situation,  
4 your Honor. These parties have no minor children.  
5 They've been separated since March of 2018. Mrs.  
6 Fenton filed for divorce back in '18, and she was  
7 unable to get Mr. Fenton served. In that period  
8 of time Mr. Fenton was in the marital home, which  
9 is in Sunnyside Drive, 1986 Sunnyside Drive,  
10 Brentwood, Tennessee.

11 We believe that house should sell in  
12 the neighborhood of 414,000 we hope. It's a great  
13 location. People want to get in Brentwood, to get  
14 into Brentwood in that zip code. Those schools  
15 for that kind of price is wonderful. This thing  
16 could sell immediately if you had a good marketer  
17 to get that thing on the market and get it sold.

18 Mr. Fenton and Mrs. Fenton had  
19 agreed last year that they would do that. She  
20 then dropped the divorce. They were going to try  
21 to get it on the market. The problem with the  
22 private realtor is that Mr. Fenton posts these  
23 kind of documents that are -- this is the do not  
24 enter my property, and I'll hand you a copy of  
25 that.

1           It was made as part of the exhibits  
2 when we filed for divorce in 2019. Mr. Fenton was  
3 avoiding service. We hired two different process  
4 servers to try to go out to the residence, and  
5 this is what they would encounter. We're  
6 concerned that if a private realtor was going to  
7 list this property, that it would just be more  
8 road blocks.

9           In 2018, when they made this  
10 agreement, if she dropped the divorce he would  
11 agree to put the house on the market. It never  
12 got on the market. It was he's got to fix this,  
13 he's got to fix that. It was one excuse after  
14 another, and here we are sitting a year later,  
15 and now my client had to file bankruptcy.

16           She is paying the second mortgage on  
17 the house. She's paying \$48,000 in credit card  
18 debt, and this credit card debt is in her name,  
19 but the genesis of those cards, I have a history  
20 of the cards where Mr. Fenton would transfer  
21 balances from his credit cards to a credit card in  
22 her name, and then she became in a horrible  
23 financial situation.

24           She is -- she used to make around  
25 90,000 a year. Her most recent income is 5800 a



1 month. She is an architect, works for a firm,  
2 and Mr. Fenton was the IT person for the firm,  
3 and he hacked the emails so he lost that job. He  
4 is very intelligent. He has a high school  
5 education, but he is a self-taught computer  
6 genius.

7 And he also has -- or he had a real  
8 estate license. I don't believe that's current.  
9 He had a flip home of rental property in 2016, is  
10 my understanding, but he never filed his tax  
11 return for 2016, when he sold that home, and so  
12 we've got a tax liability from 2-2016, standing  
13 out there.

14 2017, 2018, my client did get the  
15 tax returns filed, but they withheld everything  
16 she paid in because they still haven't filed the  
17 2016 tax return. So we have woes, IRS woes. We  
18 have unsecured credit card debt in excess of  
19 \$48,000. There is a Chapter 13. Because my  
20 client makes \$5800 a month, she can't qualify for  
21 a Chapter 7 bankruptcy.

22 And so what happened in the  
23 bankruptcy proceedings is they allowed her six  
24 months to sell this house. She will have to use  
25 her equity from the house. There should be about

1 120,000 equity. We have asked --

2 THE COURT: Total or just her share?

3 MS. STORY: Total. So my client is  
4 around 80 -- his -- no. If it's 120 hers would be  
5 around 60. Most of hers will go to pay off the  
6 debt.

7 THE COURT: Is the IRS going to be  
8 intercepting this money?

9 MS. STORY: When he gets his -- the  
10 holdup here is the 2016 tax returns because he had  
11 the property that he sold, so I don't know where  
12 he is on getting that information together, but  
13 the IRS is clearly not bankruptable. Once he --

14 Once he files the 2016 tax returns,  
15 I imagine they will take that \$8,000 they're  
16 holding of her money from the -- from her  
17 employment where she pays in her taxes. They will  
18 take that and apply it toward the '16 taxes, no  
19 doubt. So that's --

20 THE COURT: Any possibility she  
21 could be an innocent spouse? I don't know how  
22 that works anymore.

23 MS. STORY: She could probably, but  
24 since they are already holding 8,000 of her money,  
25 at this point, your Honor, she just needs the

1 burden of all the debt off her mentally. She  
2 suffers from narcolepsy and she suffers -- she has  
3 very sleepless nights. She can't -- she has  
4 chronic fatigue.

5 Her health has declined  
6 considerably. It's a toxic marriage. It's been  
7 unbelievably difficult just dealing with Mr.  
8 Fenton to even get him served. So we continued  
9 this matter from Ms. Brittany Gates who was the  
10 attorney who was first retained to represent him.  
11 We continued it from June 29 until today to give  
12 her a month to work on him, to see if we could get  
13 the house on the market, do something.

14 We really believe the only thing we  
15 can do, your Honor, is to auction this house. We  
16 got a text on June 15th from Mr. Fenton. Here's a  
17 copy of the text, and he says --

18 THE COURT: Could this be with  
19 reserve or without reserve?

20 MS. STORY: I think without reserve,  
21 just let it go. I think a good auctioneer will do  
22 a fabulous job. It's a good flip property. It's  
23 a good -- as I said, in that zip code you can't  
24 hardly find anything for that price. So Mr.  
25 Fenton sent her an email.



1                   Said I will -- text. (Quoted as  
2 read.) "I will stay here until the bank -- until  
3 you, the banks and the police carry me out of  
4 here, while they carry truckloads of junk and  
5 treasures out to the lawn." Then it goes on and  
6 on.

7                   But that is truly what we've dealt  
8 with. So he's going to say that he doesn't have  
9 anyplace to live, and that he has renters. He has  
10 gotten renters in there. Well, we didn't sign a  
11 lease. We never authorized any renters to be in  
12 that house. I think the renters need to go.

13                   THE COURT: Okay.

14                   MS. STORY: So --

15                   THE COURT: Do you know whether or  
16 not they are month to month or if there's a  
17 contract?

18                   MS. STORY: I just got the lease,  
19 and I didn't have a chance to look at it.

20                   THE COURT: Okay.

21                   MS. STORY: I have been told that it  
22 says 90 days to vacate but -- I don't know. He  
23 says --

24                   MR. DUKE: Your Honor, I'm sorry,  
25 but if Mrs. Fenton is going to make comments from

1 the table here, can we go ahead and put her under  
2 oath, please?

3 THE COURT: She won't make any more.

4 MR. DUKE: Thank you, your Honor.

5 MS. STORY: And I don't mind being  
6 under oath whatsoever. So I don't know. Like I  
7 said, I was just handed this lease.

8 THE COURT: Sure.

9 MS. STORY: So I do not know.

10 THE COURT: Okay.

11 MS. STORY: I feel sure we have an  
12 escape clause because my client didn't sign the  
13 lease. She is the owner of the property.

14 THE COURT: Is she the only titled  
15 owner?

16 MS. STORY: Both of them.

17 THE COURT: Okay.

18 MS. STORY: So that is our argument.  
19 I would ask that the exhibit on the note, don't  
20 come on my property, the no trespassing be made an  
21 exhibit to this hearing, and the email or the text  
22 from Mr. Fenton that says I will stay here until  
23 you, the banks and the police carry me out.

24 THE COURT: All right. We'll make  
25 this picture the first exhibit, number one.

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(Exhibit One received into evidence to this hearing.)

THE COURT: What about the ...

MS. STORY: The text, yes. I would like those texts to be made an exhibit.

THE COURT: The text will be accepted into evidence as Exhibit Number Two.

(Exhibit Two received into evidence to this hearing.)

MS. STORY: I have the bankruptcy, your Honor, that says it has to be sold within 180 days or goes to foreclosure.

THE COURT: What is the starting date of that order?

MS. STORY: She filed in April, April 29th.

THE COURT: Okay.

MS. STORY: Well, April 26.

THE COURT: Okay. So when does the 120 or 80 days start?

MS. STORY: I believe it starts from



1 the confirmation, but I'm not a bankruptcy lawyer,  
2 so I was counting from -- I have talked to the  
3 bankruptcy lawyer to make sure what relief we have  
4 to get.

5 THE COURT: Okay.

6 MS. STORY: And I'm supposed to send  
7 him a copy of this order from this court so that  
8 he can get the Bankruptcy Court to ratify that  
9 order so they're also in -- notified of that  
10 process.

11 THE COURT: What about -- just to  
12 fill in your statement here. I want to get the  
13 whole picture. Have y'all talked about an  
14 auctioneer? I know there are two opposite sides  
15 here. I get that, but have y'all gotten that  
16 far? You probably haven't because you disagree?

17 MS. STORY: Their position is they  
18 want a private realtor to come in.

19 THE COURT: Okay.

20 MS. STORY: I don't mind doing  
21 that, but, quite frankly, your Honor, I would not  
22 recommend any of the realtors I work with because  
23 I think it would be a nightmare. We get emails,  
24 books and books and books from Mr. Fenton all  
25 hours of the night, and I don't even think

1 there's anybody I could send into that situation.

2 THE COURT: Not even Ms. Martin?

3 She probably --

4 MS. STORY: She could do it. Mr.  
5 Fenton would have to be put on a really short  
6 leash until -- he could throw kinks in it, and  
7 the other thing we're worried about -- it's what  
8 Mrs. Fenton said -- is even if you got a realtor,  
9 if he had to sign a listing contract within five  
10 days, sell it as is, they're going to --

11 The buyers are probably going to  
12 want a home inspection. I don't know if it will  
13 pass a home inspection, and with three people  
14 living here with him, and if he says in that  
15 email, you'll have to carry me out, he says all  
16 my treasures, I don't know what the status that  
17 house is. It's been since March of -- 18 months,  
18 almost 18.

19 THE COURT: The tenants that are in  
20 there now, is it a family or one person?

21 MS. STORY: You will have to ask  
22 him. We don't know. Let me see if I can tell  
23 from a name. Jesse Garcia. I don't know who that  
24 is.

25 MR. DUKE: There's another one as

1 well.

2 THE COURT: Okay. All right. Yes,  
3 sir. Well, whoever the lawyer is.

4 MR. MILLER: My name is Mitchell  
5 Miller from the Nashville Bar.

6 THE COURT: Yes, sir, Mr. Miller.  
7 How are you today?

8 MR. MILLER: I'm doing very well.  
9 We have made a lot of progress talking about this  
10 case so far, and my client is essentially coming  
11 down to accept the inevitability that we're going  
12 to need to sell this home to get this divorce  
13 finalized and to move Mrs. Fenton through the  
14 bankruptcy.

15 At this time, however, Mr. Fenton  
16 is not employed although he is looking for  
17 employment. He does have renters in this home,  
18 and I know that Ms. Story has taken issue with  
19 that, but I would also like to tell the court  
20 that this has sort of come about because of the  
21 bankruptcy and Mrs. Fenton stopped the -- you  
22 know, discontinuing her payment on the primary  
23 mortgage happened around the same time.

24 And so Mr. Fenton has tenants in  
25 this home and has what is supplements and provides



1 his ongoing day-to-day costs, although the first  
2 mortgage is not currently being paid.

3 Mr. Fenton did not know that the first mortgage  
4 was not being paid until several months after Mrs.  
5 Fenton stopped paying.

6 So, Judge, we have sort of an issue  
7 here where the wife, by filing bankruptcy, filing  
8 divorce and stopping to pay the first mortgage,  
9 has created the financial crisis that we're now  
10 here to resolve.

11 Obviously, Mrs. Fenton would  
12 contend that my client ran up all the debt, and  
13 we're not necessarily here to determine all of  
14 the marital assets and how to distribute marital  
15 debt and assets conclusively, but my client would  
16 show the court that many of those -- many of those  
17 transactions and I'll say creative financial  
18 decisions were done by agreement, or at least with  
19 the knowledge of the wife.

20 However, for today's purposes we  
21 agree that the home needs to be sold, but Mr.  
22 Fenton's liability to his current tenants needs  
23 to be taken into account. Mr. Fenton's current  
24 financial ability needs to be taken into account,  
25 and we would oppose the motion in terms of an

1 auction, especially to the extent that it  
2 requested an immediate auction.

3 At minimum, Mr. Fenton needs some  
4 degree of time to gather his personal belongings,  
5 give proper notice to his tenants, find  
6 subsequent housing, and most importantly, if he  
7 doesn't have a renter income coming in, have some  
8 transitional time to figure out how to be self-  
9 sustaining in the short run.

10 We're not here on an alimony  
11 pendente lite motion, but we probably should be  
12 soon because --

13 THE COURT: Can I ask you this?

14 MR. MILLER: Yes, sir.

15 THE COURT: One of the biggest  
16 problems I'm bumping up against in trying to make  
17 the best decision here is who's going to control  
18 the husband? Exhibit One and Exhibit Two show  
19 some very disturbing conduct. I know you are not  
20 in charge of trying to control your client all the  
21 time.

22 I do know good lawyers like you  
23 gentlemen on the left side of the table will tell  
24 your clients, if you don't do what I tell you to  
25 do, we're out of here. I don't know how people

1 work any more, but that's the way we used to  
2 practice law. The lawyer is in charge. You can  
3 be nice and sweet, but tell the client what they  
4 need to do.

5 And I don't have any assurance at  
6 this point that his conduct won't continue  
7 thereby delaying this process even more. I know  
8 you can't guarantee his conduct. I know that,  
9 but is there anything you can give me to indicate  
10 that his conduct will not be an issue at all? You  
11 probably can't. If I were in your shoes I would  
12 probably say --

13 MR. MILLER: I can give you no  
14 guarantees.

15 THE COURT: I'm not an insurer of my  
16 client's conduct.

17 MR. MILLER: I will adopt that  
18 statement as Mr. Fenton's -- but, your Honor, I  
19 would indicate that there's been an ex parte order  
20 in place for some time now --

21 THE COURT: Right.

22 MR. MILLER: -- and that Mr. Fenton  
23 has complied with that to the letter, and that we  
24 stipulate he will continue to comply with that to  
25 the letter, and Mrs. Fenton has agreed with that



1 and also agreed, you know, not to have any contact  
2 with him.

3 So we are in a place. We are  
4 coming to the table and starting to realize -- I  
5 say "we" as in my whole team here and Mr. Fenton,  
6 that this is where the rubber is meeting the road,  
7 and this divorce is going to get moving along, and  
8 we're going to have to take this one step at a  
9 time.

10 This is going to have to be done.  
11 So I will tell the court that I am confident that  
12 my client now understands that. We spent many  
13 hours working with him to impress upon him the  
14 realistic difficulties of any divorce and, in  
15 particular, this one.

16 So I think what you are seeing there  
17 is probably something that you've seen a lot  
18 before, where spouses in emotional and financial  
19 crisis are lashing out in irrational, unstable  
20 ways. That is coming to an end, and I can give  
21 the court my best confidence that I believe that  
22 Mr. Fenton is turning a corner on that.

23 He has expressed that to the court  
24 by agreeing with Ms. Story's very generous  
25 proposal to continue the ex parte order rather

1 than go for it on 402. So I do think that there  
2 are some good indicators there. Mr. Fenton just  
3 told me that he is willing to take down all those  
4 troubling signs that Ms. Story mentioned.

5 We are prepared to entertain any  
6 other limitations and orders that the court would,  
7 you know, would want in that kind of order, but we  
8 do think that because the main asset in this  
9 divorce is this home, which we are essentially  
10 disposing of before there's been any discovery and  
11 any further analysis on this, that we need to  
12 proceed in a way that absolutely maximizes the  
13 total take on this.

14 THE COURT: Under the circumstances.

15 MR. MILLER: Under the  
16 circumstances.

17 THE COURT: That's where the real  
18 issue is here.

19 MR. MILLER: Yes, sir.

20 THE COURT: Can I ask you some more  
21 questions too? Ms. Story may be able to answer  
22 this. The other concern I have is: What kind of  
23 condition is the interior of the home? Have we  
24 seen -- has Ms. Story and her client had an  
25 opportunity to look at the interior to see what it

1 looks like?

2 MR. MILLER: Your Honor, I'm not  
3 sure. There's definitely some clutter, and my  
4 client is willing to get to work today to make  
5 sure that that is done, and in terms of following  
6 recommendations for a realtor, we'll follow all  
7 those recommendations. There may be some  
8 financial limitations about, you know, what  
9 extraordinary efforts can be made.

10 THE COURT: I'm going to think out  
11 loud here for a moment. My tendency is to --  
12 considering all these factors, first of all we're  
13 getting ready to close out the best marketing  
14 months of real estate; however, when we look at  
15 property that is specialty property or property  
16 that is very desirable like Brentwood, that  
17 really doesn't matter like it used to.

18 People, if they want to buy, will  
19 buy. If the right buyer comes along -- and they  
20 do in these desirable neighborhoods -- they'll buy  
21 it.

22 MR. MILLER: Yes, sir.

23 THE COURT: So the next thing is,  
24 looking at the husband's past conduct, which  
25 bothers me, and his interruption of the smooth



1 transition of a sale or auction, I want to get  
2 the highest and best price as everyone does.  
3 It's such a close decision for me.

4 I'm thinking of three options.  
5 Number one, getting a real estate person who is  
6 aggressive, who'll sell the property, and if it  
7 can't be sold within 30 days, auction it. But  
8 what that's going to require, if the interior of  
9 the home looks like trash, I mean, that's going to  
10 cost money to get it in good condition.

11 So I guess the question there is  
12 that no one has an answer, and I don't expect  
13 one. What is the margin of additional equity  
14 that could be obtained to fix the home up and  
15 make it marketable and sold with an aggressive  
16 seller within a month, and is it going to be  
17 worth it to do that financially?

18 MR. MILLER: From my understanding  
19 -- from my understanding an investment of five to  
20 10,000 would yield an additional profit of about  
21 50. That calculus might make sense, but I don't  
22 think that either party has the money to make  
23 that investment even though that may be a rational  
24 decision to make.

25 THE COURT: My tendency is to sell

1 it at auction -- it really is -- for a lot of good  
2 reasons.

3 MR. MILLER: Your Honor, if I could  
4 add another note about how I've arrived on this  
5 case, especially just a few days before this  
6 hearing ...

7 THE COURT: Yes, sir.

8 MR. MILLER: Mr. Fenton contacted  
9 me I would say in February maybe before some of  
10 these things happened, and he wanted to engage  
11 me, but at that time I was working with HCA, and  
12 we developed a rapport -- I couldn't take his  
13 case, but we developed a rapport several months  
14 ago.

15 Although I wasn't able to take his  
16 case, I think that we've connected and we've  
17 established a rapport, and since I've moved back  
18 into private practice he contacted me just last  
19 week. So since this has gotten rolling -- and I  
20 know that there was a divide between he and his  
21 prior counsel -- I do have a strong rapport with  
22 my client.

23 And I would be willing to do  
24 whatever the court would like to try to work with  
25 him and make sure that all phases of this divorce

1 proceed in an orderly and respectful fashion. I  
2 think that we're ready to turn a corner and do  
3 that if the court would allow us that opportunity,  
4 if the court's main concern is how we conduct  
5 ourselves.

6 THE COURT: If the margin of  
7 additional money pales against the cost to get  
8 there, and we know that no one has the money to  
9 get there, that particular option, that's not  
10 going to work, so it looks like to me -- correct  
11 me if I'm wrong, but it look like to me that  
12 trying to get the home fixed up for purposes of  
13 producing a higher return --

14 MR. MILLER: Let me clarify. We're  
15 not proposing further investment to -- we're  
16 proposing an as-is sale, but through a -- on the  
17 market rather than at auction so that -- I mean  
18 without additional --

19 THE COURT: But you have to pay the  
20 realtor, don't you?

21 MS. STORY: I was looking at the  
22 realtors that Ms. Martin would -- or the auction  
23 companies that might be suggested --

24 THE COURT: Right.

25 MS. STORY: -- and there's an



1        auctioneer in Brentwood, First Cumberland  
2        Auctioneers. What they would probably do is go  
3        out and just do an estate sale and sell whatever  
4        treasures are there that he's not going to take  
5        with him. Then they would just sell everything.  
6        We would just sell personal property and the  
7        home.

8                                They do charge six percent. Now a  
9        realtor -- an auctioneer is going to charge the  
10       same amount.

11                              THE COURT: Okay. So that's not  
12       a --

13                              MS. STORY: It's the same, six  
14       percent. They do a pretty good job of getting  
15       advertising out there. You would be surprised  
16       how many people show up on these courthouse  
17       steps.

18                              THE COURT: I see them all the time.

19                              MS. STORY: For auction.

20                              THE COURT: Right. Can I just ask  
21       this question too? I've seen where -- I don't  
22       want it to look like a desperation sale, and y'all  
23       don't either because the hawks will be out there.  
24       But at the same time these auctioneers now are  
25       marketing these sales not as an auction

1 necessarily, but like Ms. Story said, like an  
2 estate sale to kind of disguise the idea that it's  
3 a desperate sale when it --

4 MR. MILLER: If an auction has to be  
5 the way to go we certainly appreciate, you know,  
6 proceeding within some form that appears  
7 respectful and doesn't just result in a basement  
8 price.

9 THE COURT: There are auctioneers  
10 who can do that. They understand that because  
11 that makes their commission a lot higher if they  
12 don't make it look like it's desperate, and  
13 they're doing a good job of that from what I've  
14 seen.

15 MR. MILLER: And, your Honor, if an  
16 auction has to be the way we go, I would still ask  
17 for that auction to be out a ways so that he can  
18 obtain -- if we're talking about 30 days, he can't  
19 both clear the home out and apply for jobs. So  
20 then he's got to sell -- we got to figure out  
21 where his personal property goes, find a storage  
22 unit for that.

23 We've got to kick the tenants out,  
24 which are providing income, so he can't really go  
25 buy a storage unit to keep the stuff he wants to,

1 and since he doesn't have a job, especially in  
2 that time frame, he couldn't turn around with his  
3 current resources and rent the cheapest place in  
4 the county.

5 MS. STORY: What I suggested there,  
6 your Honor, is that let him -- I've asked for the  
7 proceeds be placed in the court from the sale,  
8 but we would say he could have X amount of dollars  
9 toward his equity.

10 THE COURT: Draw on his interest.

11 MS. STORY: That way it would go  
12 towards the division of marital property, but  
13 give him some money to get him a new place to  
14 live.

15 MR. MILLER: Then, your Honor,  
16 that's why time is also very important. If we  
17 did this auction tomorrow and we had that exact  
18 order in place, still wouldn't make much of a  
19 difference because he needs some time to get even  
20 the most, you know -- the most nominal --

21 THE COURT: Let me know what you're  
22 talking about timewise. I know what I'm thinking.

23 MR. MILLER: So another issue is the  
24 liability to current tenants, and that lease puts  
25 90 days.



1 THE COURT: Well, I don't want to  
2 put you in the position of buying a lawsuit --

3 MR. MILLER: That's why we --

4 THE COURT: -- having to pay out  
5 money on that, so Ms. Story, what do you say about  
6 that?

7 MS. STORY: It's a self-made -- it's  
8 a self-made lease --

9 MR. MILLER: Which is fine.

10 MS. STORY: -- that he did, and it  
11 says sale. Under the sales provision that any  
12 time during this lease, if the landlord decides to  
13 sell, if landlord sells this property or places  
14 it up for sale, whether voluntarily or by court  
15 order, or in any way the ownership of this  
16 property or rights to sell this property are  
17 conveyed to another party, whether by foreclosure  
18 or other legal process -- which is going to happen  
19 soon if we don't get it on the auction block  
20 within 30 days or so -- during the term of  
21 tenancy, this tenancy per this agreement, the  
22 assuming owner or controlling party and their  
23 agents and assigns must continue to comply in  
24 full with the terms of this lease.

25 Well, obviously he cannot bind a new

1 owner to comply with this lease, so that is a  
2 voidable contract. There's no way that that  
3 tenant could go after the assuming owning or  
4 controlling party or their agents.

5 MR. MILLER: I would stipulate that  
6 that interpretation is absolutely correct. The  
7 controlling provision is what follows.

8 THE COURT: Right.

9 MR. MILLER: Landlord herein  
10 promises and assures tenant that absolutely under  
11 no circumstances will the tenant be requested or  
12 required to move out within receiving at least,  
13 the very least, 90 days written notice in advance.  
14 That is -- I mean he is boxed himself in here.

15 THE COURT: Yeah.

16 MR. MILLER: The court is going to  
17 give him a lawsuit from two tenants.

18 MS. STORY: I don't even know. Are  
19 they paying?

20 MR. MILLER: Yes.

21 MS. STORY: Do they have -- where  
22 is his -- I don't have an income and expense  
23 statement from him. Has he given them notice?  
24 He's known since March of last year that the house  
25 was going on the market, and he signed the lease

1 in April of this year.

2 I don't -- you took that other lease  
3 so I don't know when the other one was signed, but  
4 this one, March, he signed it March of '19. The  
5 bankruptcy was filed April. He knew this was  
6 coming down the pike. I think this is a ruse to  
7 try to keep you from selling the house, and I'm  
8 sorry that he signed this.

9 THE COURT: How many days -- Ms.  
10 Story, if I decide to auction this house, if I  
11 decide to auction it, how many days do you  
12 suggest?

13 MS. STORY: I would say 30 days.

14 THE COURT: Okay.

15 MS. STORY: Let us within the next  
16 week agree on an auctioneer between the attorneys,  
17 reach out to some of our referrals and see who  
18 they prefer that we use and we get it on -- have a  
19 goal for 30 days.

20 THE COURT: All right. Anything  
21 else by either party?

22 MR. MILLER: Your Honor, if the  
23 court orders an auction I would ask for further  
24 order that proceeds be immediately available, at  
25 least some portion of proceeds be immediately

1 available to Mr. Fenton for his continued --

2 THE COURT: Once the money is placed  
3 in the clerk's office, we'll talk about that. I  
4 know that may be an issue.

5 MS. STORY: If he will just send me  
6 a list of what he, you know, a pro forma of what  
7 he wants, what his budget might be, how much he  
8 thinks he is going to need to buy us time to get  
9 us to our mediation or to trial, I certainly will  
10 be reasonable with that.

11 THE COURT: Okay. Let me tell  
12 y'all, none of this is pleasant.

13 MR. MILLER: I know that you are  
14 about to -- I hate to do this. My client really  
15 doesn't prefer that I tell you this, but the  
16 timing is especially difficult for him to deal  
17 with because he has several -- he has several  
18 mental issues. He has anxiety and depression  
19 disorders that make this a very crippling task to  
20 handle: Gathering personal things, getting a job  
21 set up, trying to land somewhere.

22 There's no family or friends in town  
23 willing to give him a place to stay in the very  
24 near term, and so if the court can be generous and  
25 give him as much time as you can possibly see, I



1 would appreciate that. My client would. That  
2 seems to be justice. In this case we're about 90  
3 days since bankruptcy. It sounds like we have  
4 another -- is it an additional 90?

5 MS. STORY: Ninety. I would say 90  
6 to 120.

7 MR. MILLER: So if we can have  
8 something approaching the 60- to 75-day range,  
9 that would still put us within that window. We  
10 can still proceed with the bankruptcy unimpeded.  
11 My client would have the best fighting chance to  
12 land on his feet.

13 THE COURT: Right.

14 MS. STORY: Here's my comments about  
15 that. I know that his father has a summer home in  
16 Tennessee. His mother has been giving him money.  
17 He has a place to live, albeit in Michigan, but  
18 they don't have -- we would -- if he vacated the  
19 property we could meet with the auctioneer out  
20 there and take care of that.

21 He doesn't have -- I mean, if he  
22 just wants to vacate and go, get the tenants out,  
23 we'll meet with the auctioneer and take care of  
24 the auction. My client has mental health issues  
25 too and physical debilitating issues, and she's

1 trying to work, but we have to do what we have to  
2 do, and that's the quickest we can get money in  
3 his pocket and give us some relief.

4 THE COURT: All right. I'm going to  
5 go ahead and rule. I respect and appreciate the  
6 argument of both counsel, and you are very good at  
7 this. You are very articulate. You are very  
8 calm. You are very -- you understand what it  
9 means to sit down with a lawyer and try to talk  
10 things out, but still represent your client's  
11 interests.

12 I can tell, so it's nice to see  
13 someone who knows what they're doing.

14 MR. MILLER: I appreciate that,  
15 Judge. Thank you.

16 THE COURT: I mean that, I really  
17 mean that. You are very calm and articulate. You  
18 know what you're doing. I respect your approach.  
19 I really do. Did you know Bruce Moore, or do you  
20 know him?

21 MR. MILLER: I think I've maybe met  
22 him in passing.

23 THE COURT: Well, he's one of my  
24 lifelong friends. He's been with HCA forever.  
25 He is a great guy. I don't mean that in a bad

1 way. I just kid my buddy. But anyway, he is a  
2 great guy. If you are ever back over there, get  
3 to meet him because he is a good man.

4 MR. MILLER: Will do, your Honor.  
5 Thank you. I appreciate those comments.

6 THE COURT: You are very welcome.  
7 I don't have a magic wand here. I wish I did  
8 where I could please everyone, but I can't. We  
9 all know that in these types of cases it is very  
10 difficult, but we got to move. I understand the  
11 exigencies of the issues here. I understand the  
12 time limitations of the path through bankruptcy,  
13 et cetera.

14 I understand that there's a  
15 potential lawsuit that may come down the road.  
16 I understand this is the biggest asset, and you  
17 can try to get the highest and best dollar, all  
18 kinds of different elements that go into making  
19 a decision, so this is what I would like to do.

20 The home will be sold at auction in  
21 45 days. Y'all will discuss and try to agree upon  
22 an auctioneer. Obviously, you two good lawyers,  
23 three lawyers, will do whatever is necessary to  
24 obtain the services of a good auctioneer who will  
25 market the sale in a marketable fashion that will

1 not invite a desperation offer.

2 Both sides will follow the  
3 directives of the auctioneer or their agent with  
4 regard to visiting the interior of the home to  
5 determine a fair range of auction sale, sale  
6 price and to review, look at and tag personal  
7 items, if necessary, for sale.

8 Both parties through their  
9 attorneys will give the auctioneer their  
10 absolute, full cooperation even though it is  
11 difficult, but that must be done. Once the  
12 auction has been completed. the proceeds, netted  
13 proceeds of the auction after expenses and  
14 commissions are paid as a result of the auction  
15 will be placed in the -- are we Chancery or  
16 Circuit?

17 MS. STORY: Chancery.

18 THE COURT: In the Chancery Court  
19 clerk's office in an interest-bearing account in  
20 both parties' names. How do we do that now? Do  
21 y'all put it in your name now? However it's  
22 done.

23 MS. STORY: I think it might be in  
24 Ms. Beeler's name.

25 THE COURT: I think it is.



1 MS. STORY: On behalf of.

2 THE COURT: Right, exactly, bnf or  
3 on behalf of. If moneys are needed after the  
4 moneys are deposited I will definitely entertain  
5 a request for withdrawal of either side's  
6 equitable interest in those moneys from the  
7 clerk's office. That will have to be done either  
8 by agreement of the parties or a court hearing.

9 It will be a straight auction  
10 without reserve, and I believe that's it. Let  
11 me ask this question. I really don't believe,  
12 now that the husband is represented by excellent  
13 counsel, that we're going to have any problems  
14 with the husband trying to stall the auction or  
15 interfere directly or indirectly in any way.

16 Is there a restraining order against  
17 him at this point in that regard?

18 MS. STORY: There's just the  
19 standard restraining order that went down, the  
20 statutory from harassing, threatening or  
21 intimidating or dissipating marital -- dissipating  
22 assets or encumbering. Then the ex parte from  
23 contact so there's nothing to prevent him from  
24 stalling the sale of the house.

25 THE COURT: What do you say about

1 that, Ms. Story?

2 MS. STORY: Well, I would like it in  
3 there.

4 THE COURT: I know you would. I'm  
5 going to put it in there because I want this sale  
6 to go off. I've made a decision about how to do  
7 it, when we're going to do it, and I want to make  
8 sure because of the immediacy of this issue, that  
9 it gets done without any interference, and I  
10 believe that the husband will cooperate and will  
11 be a gentleman even though it's all difficult.

12 He will do whatever is necessary to  
13 get this asset sold and get the money into the  
14 clerk's office as quickly as possible so that he  
15 may share in some of the proceeds on an immediate  
16 basis if he feels that he needs to.

17 So the husband will be enjoined and  
18 restrained from interfering in any form  
19 whatsoever directly or indirectly with a smooth  
20 transition and preparation of the home for  
21 auction. Yeah.

22 Do y'all need me to order when the  
23 tenants should vacate? I will be glad to do it.

24 MR. MILLER: Will you repeat that,  
25 your Honor?

1 THE COURT: Sir?

2 MR. MILLER: Would you repeat that,  
3 please.

4 THE COURT: Would y'all like for me  
5 to put in the order when the tenants should  
6 vacate, or should that be done I guess more  
7 efficiently through discussions with the  
8 auctioneer and how they want to proceed?

9 MS. STORY: That escape clause that  
10 I read says whether by volunteer or by court  
11 order. I think it would help him if it's by court  
12 order.

13 MR. MILLER: So my thought is when  
14 would the buyer take possession after -- if it's  
15 taking place in 45 days, does that mean they take  
16 possession --

17 THE COURT: Well, this is what I'm  
18 trying to avoid. I know the auctioneer, in order  
19 to get the highest and best price, is going to  
20 want to go in and take a look at it, the  
21 interior. He may want to tag items. I don't know  
22 who the tenant is. I don't know what the inside  
23 of it looks like.

24 I just don't want people bumping  
25 into each other, running over each other when

1 we're trying to get this property sold through  
2 auction, so I'm thinking we need to give the  
3 tenant a drop-dead deadline to be out, something  
4 that's reasonable.

5 If we're going to auction in 45  
6 days, everybody is going to have to be pressed  
7 against the wall because of circumstances that  
8 have come up in this divorce case. I'm thinking  
9 he needs to be out of there in ten days so we  
10 don't have that to worry about.

11 MR. MILLER: One thing is I believe  
12 Mr. Fenton has already been paid by these tenants  
13 for the month of August.

14 THE COURT: Okay. You will have to  
15 reimburse them.

16 MR. MILLER: That is probably not on  
17 hand because that goes toward his living expenses  
18 at the moment.

19 THE COURT: I didn't hear you. I'm  
20 sorry.

21 MR. MILLER: The amount required  
22 for reimbursement is not on hand because that  
23 goes to his living expenses, so if we could put  
24 their leave date at the very end of the month  
25 so that he doesn't owe any further



1 reimbursement.

2 THE COURT: At the end of this  
3 month?

4 MR. MILLER: At the end of August.

5 THE COURT: Today is August 1st.

6 MR. MILLER: Right.

7 THE COURT: What do you say, Ms.  
8 Story?

9 MR. MILLER: Are you saying that  
10 they need to move out ten days from today or ten  
11 days after the auction? You're saying from  
12 today?

13 THE COURT: Well, y'all tell me.  
14 What I'm trying to do is to prevent unexpected  
15 problems and issues that come up. Again there's  
16 so many things I don't know and y'all don't know,  
17 but the last thing I want to do is have an  
18 auctioneer coming in there and tripping all over  
19 the tenant and the tenant getting --

20 I mean I don't know anything that's  
21 going to happen. I just want that to be a  
22 non-issue, so if the tenant is out of there it is  
23 a non-issue. Any reimbursement, we'll have to  
24 deal with that, but it's going to have to be paid  
25 back to keep him happy. He may not be happy at

1 all. Again I can't solve all the problems, but,  
2 you know, we're just going to have to move through  
3 here with what's necessary.

4 MR. MILLER: Since we are --

5 MS. STORY: I think she is okay  
6 with letting him stay until August 30th if he  
7 gives them notice today, because that way, 15  
8 days to find the auctioneer for us to get that  
9 started. Then the auctioneer is going to  
10 advertise.

11 THE COURT: Okay.

12 MS. STORY: Then tell Mr. Fenton  
13 what he needs to get out of the house I'm sure, so  
14 I think we would be okay with August 30th.

15 MR. MILLER: She just made my next  
16 point. I appreciate that.

17 THE COURT: Good deal. Okay.  
18 Anything else that we need to talk about?

19 MR. MILLER: The only question I  
20 would have is about personal property between  
21 the two of them. Wanting to know if Mrs. Fenton  
22 has anything in particular we should be aware of?

23 MS. STORY: There's a couple of  
24 things. We'll make a list.

25 MR. MILLER: We don't want any

1 further headache about stuff like that.

2 THE COURT: I respect that. Thank  
3 you. Let's do this. Are y'all going to make a --  
4 you've already --

5 MS. STORY: There's a few little  
6 things she wants. We'll make a list.

7 THE COURT: Okay, good enough.

8 MS. STORY: I can do that.

9 THE COURT: If you will put that in  
10 the order as well. Do you want a deadline for her  
11 to get that list of property out of the home?  
12 Y'all are doing really well.

13 MR. MILLER: A couple of days, ten  
14 days?

15 MS. STORY: Ten days.

16 THE COURT: That will work. I think  
17 we covered it all.

18 MR. MILLER: Thank you, your Honor.

19 THE COURT: Is that it? Very good.  
20 Can I get both of you to sign off on that order,  
21 please, and I'll sign it whenever it's prepared.  
22 I believe that's it. Any other questions?

23 MS. STORY: No, your Honor.

24 THE COURT: Very good. Thank y'all  
25 very much. It's good to see y'all.

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MS. STORY: We're off the record?

THE COURT: Yes.

(Whereupon, this was all that was heard in this cause, this the 1st day of August, 2019.)



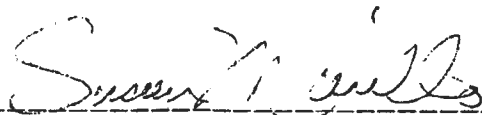
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REPORTER'S CERTIFICATE

I, Susan D. Murillo, Certified Court Reporter in and for the State of Tennessee, do hereby certify that the above proceedings were reported by me and that the foregoing 42 pages of the transcript is a true and accurate record to the best of my knowledge, skills and ability.

I further certify that I am not related to nor an employee of counsel or any of the parties to the action, nor am I in any way financially interested in the outcome of this case.

I further certify that I am duly licensed by the Tennessee Board of Court Reporting as a Licensed Court Reporter as evidenced by the LCR number and expiration date following my name below.

  
-----  
Susan Murillo, LCR #224  
Expiration Date: 6-30-20  
118 Wheaton Hall Lane  
Franklin, Tennessee 37069

**IN THE COURT OF APPEALS OF TENNESSEE  
AT NASHVILLE**

**FAWN [REDACTED] FENTON v. JEFFREY RYAN FENTON**

**Chancery Court for Williamson County  
No. 48419b  
COA NO. M2019-02059-COA-R3-CV**

**CERTIFICATE OF APPELLATE RECORD**

I, Elaine B. Beeler, Clerk and Master, Williamson County Chancery Court, Franklin, Tennessee, do hereby certify that the following items herewith transmitted to the Court of Appeals are original or true and correct copies of all or the designated papers on file in my office in the captioned case.

1. Technical record attached to this certificate consisting of 709 pages contained in five volumes.
2. One volume of transcripts filed in my office on February 18, 2020, and authenticated by the Trial Judge or automatically authenticated under T.R.A.P. Rule 24(f).

1 Volume - Hearing Date August 1, 2019

3. No exhibits are included in the record.
4. No sealed documents and/or exhibits are included in the record.
5. No depositions are included in the record.
6. No exhibits and/or documents of unusual bulk or weight have been retained in my office.

This the 31<sup>st</sup> day of March, 2020.

(SEAL)



*Sara B McKinney*  
D.C.

Elaine B. Beeler  
Clerk and Master  
Williamson County Chancery Court  
Franklin, Tennessee

**FILED - LN**

January 19, 2024 4:49 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: jlg / \_\_\_\_\_ SCANNED BY: *[Signature]* / 1/22/24

**FAWN [REDACTED] FENTON**

VS

**JEFFREY RYAN FENTON**

Hearing

*August 29, 2019*

**H**

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IN THE CHANCERY COURT FOR  
WILLIAMSON COUNTY, TENNESSEE

FAWN [REDACTED] FENTON,	)	
	)	
	)	
Plaintiff,	)	
	)	No. 48419B
vs.	)	
	)	
JEFFREY RYAN FENTON,	)	
	)	
	)	
Defendant.	)	

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HEARING  
 Before Judge Michael W. Binkley  
 August 29, 2019  
 11:20 a.m.

Reported by:  
 Harpeth Court Reporters  
 Franklin, Tennessee  
 Emily L. Sipe, RPR, LCR

FAWN ██████████ FENTON vs JEFFREY RYAN FENTON  
08/29/2019

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APPEARANCES:

For the Plaintiff:  
VIRGINIA LEE STORY  
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For the Defendant:  
Pro se

FAWN ██████████ FENTON vs JEFFREY RYAN FENTON  
08/29/2019

P R O C E E D I N G S

1  
2           00:42.2 THE COURT: I want that to be in the  
3 Order because it's best that we put everything in the  
4 Order. This gentleman, he's going to share and pay  
5 one half of the per diem plus any expenses that he may  
6 incur as a result of asking for all or a portion of  
7 the transcript that will be ordered by him. Okay?

8           All right. Ms. Story?

9           01:19.4 MS. STORY: Your Honor, the motion that  
10 we are here on today is a motion for violation of the  
11 order of the court that was August 14th of '19. And  
12 after the order was entered, there was a pretty scary  
13 communication from Mr. Fenton. I am not here today to  
14 argue about that motion necessarily. The more  
15 pressing matter -- and that was his response, that is  
16 the lengthy response we received this morning. It  
17 deals more with the issues of why he made those  
18 statements and those type of things.

19           02:05.7 But the more pressing issue, Your Honor,  
20 was the deadlines for getting this house sold. So  
21 having leased the property, 1986 Sunnyside Drive in  
22 Brentwood, you ordered that it be sold by auction.  
23 You ordered the attorneys to select an auctioneer,  
24 which we did, and we got a referral from the chancery  
25 court clerk's office. And it ended up it was Pat

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FAWN ██████████ FENTON vs JEFFREY RYAN FENTON  
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1 Marlin, who was actually a Realtor, but he does  
2 auctions and he used the services of Clyde Anderson.  
3 You know Clyde. He had done auctions for many years  
4 around here. And his son, Tommy Anderson, is now in  
5 the business. So Mr. Anderson went out to the  
6 property with Ms. Fenton, Mr. Fenton. We had some  
7 difficulty with the scheduling date, but we were able  
8 to get into the house. And Mr. Anderson, Mr. Duke,  
9 who was Mr. Fenton's previous lawyer, and Ms. Yarbrow  
10 from my office went to the property. Ms. Fenton  
11 tagged the items like your Order told her to, and it  
12 was our understanding that Mr. Fenton would be out of  
13 the house by September 1. He said he was going to  
14 Michigan and that's where his, I think, his mother  
15 lives. I ~~think~~<sup>know</sup> his father has a lake home in  
16 Tennessee. That's where we thought maybe it would be  
17 more logical for him to go, but that is up to him  
18 where he wants to go.

19 03:49.1 What is obvious, Your Honor, is you're  
20 going to have to set a date for him to be out. The  
21 order said it would be auctioned 45 days from  
22 August 1st, and so that would be -- this is in your  
23 order of August the 16th. It would be 45 days from  
24 the date of August 1st, the marital residence would be  
25 sold by auction. And I have the auction contract here



FAWN ██████████ FENTON vs JEFFREY RYAN FENTON  
08/29/2019

1 for Mr. Fenton to sign, and I'm asking him to do that  
2 today. If for any reason he refuses to sign, I'm  
3 asking the court to put in the order that Ms. Fenton  
4 have the authority to execute any and all documents  
5 necessary for Mr. Anderson to get his property sold.

6 04:45.4 The other thing I think is important,  
7 Your Honor is --

8 04:48.5 THE COURT: What do you suggest as a  
9 deadline again?

10 04:49.8 MS. STORY: It was in the Order already.  
11 It was September 15th. He said that he was moving  
12 September 1st. That is Sunday.

13 04:59.8 MR. FENTON: That was my tenants move out  
14 by then, and then I had 45 days was for me.

15 05:05.4 MS. STORY: That is not true. He said  
16 that he had 45 days after September 1st to move, but  
17 that wouldn't even make sense.

18 05:12.0 THE COURT: Okay. Well, what does the  
19 Court Order say? Because I'm going to stick with  
20 that.

21 05:15.6 MS. STORY: The Court Order says, "The  
22 motion to sell marital residence by auction is granted  
23 and the same shall be auctioned within 45 days from  
24 the date of August 1st."

25 05:27.9 THE COURT: Okay.

FAWN ██████████ FENTON vs JEFFREY RYAN FENTON  
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1           05:29.5 MS. STORY: So he's got to be out for  
2 them to get this place ready to go.

3           05:34.1 THE COURT: All right. What date do you  
4 suggest?

5           05:36.7 MS. STORY: I have seen correspondence  
6 where he said September 1st. Now he's saying he  
7 can't. So I would suggest September 3rd, which is  
8 next Tuesday. And I would like the Order to reflect  
9 that the Williamson County sheriff's department will  
10 accompany him. And at this point --

11           05:58.5 THE COURT: You mean off the property?

12           06:00.5 MS. STORY: Off the property. And I  
13 don't think he needs to take any property.

14           06:04.4 What he did, Your Honor, in this response  
15 he filed, they had a TV that -- a Sony TV, a big  
16 screen, that my client's brother had given her. He  
17 now tells me in this response that he sold it for  
18 \$1,000. And then the other thing, there was a  
19 dehumidifier in the basement that was like a \$2,500 to  
20 3,500 dehumidifier for moisture. He sold that. So if  
21 you let him take anything out at this point it's going  
22 to be sold and he's dissipating marital assets, which  
23 would be in violation of the restraining order.

24           06:45.5 And at this point Mr. Anderson, he can  
25 tag everything, they can video everything. We will

*They can video all the property*



FAWN ██████████ FENTON vs JEFFREY RYAN FENTON  
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1 not disturb anything. If we have to use proceeds to  
2 get a storage unit, we will do that for Mr. Fenton's  
3 belongings. Mr. Fenton, in his response says he has a  
4 fear of heights. And so driving to Michigan, he has  
5 to drive over the Cincinnati bridge.

6 **07:12.5** MR. FENTON: Yeah. That's really hard  
7 for me.

8 **07:14.4** MS. STORY: And so he says he can't drive  
9 a U-Haul over it. So if we can just let him take his  
10 clothing, his jewelry, his personal effects, whatever  
11 he needs that he can pack in his car, and not have to  
12 drive a U-Haul of furniture at this point, that might  
13 be the best thing to do.

14 **07:33.1** MR. FENTON: Where is my furniture going  
15 then?

16 **07:36.1** THE COURT: Wait a minute. We're doing  
17 this one at a time. *Laughter*

18 **07:39.3** MR. FENTON: I'm sorry.

19 **07:41.5** THE COURT: Go ahead.

20 **07:42.1** MS. STORY: If he will tag the items that  
21 he wants, like my client tagged the items per your  
22 order, if he'll just put a tag on items he wants,  
23 we'll make sure that those get stored, and then we can  
24 use the proceeds from the sale. We're going to  
25 deposit those into the clerk's office. And we can use

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1 those to pay the next storage unit and then when he  
2 gets ready to come here and get his things, or maybe  
3 he wants to use some of his proceeds to have them  
4 shipped to him since he, you know, does have a fear of  
5 driving the U-Haul.

6 **08:16.4** So I'm trying my best to be as  
7 accommodating to him and considering his condition  
8 that, you know, this is going to be a simple process  
9 for him. He can take his clothes, his personal  
10 property, be out September 3rd. We will tag  
11 everything, take care of it. Mr. Anderson is not  
12 going to destroy property. That's all I'm asking for.  
13 And if he would sign the listing agreement today and  
14 we put in the order that it be -- that she have the  
15 authority to sign any other necessary documents in  
16 case he does go to Michigan. It would be a little  
17 bit, logistically, difficult to do that.

18 **08:56.6** THE COURT: What do you want me to do  
19 with this violation of the Order?

20 **08:59.8** MS. STORY: Just continue it. We can  
21 just reset that portion of the motion. He just filed  
22 a response today. I'm fine to -- the ex parte remains  
23 in effect anyway under the Order of the Court, and I  
24 have not seen any further violations of that Order.  
25 The selling of the marital property is a concern to me



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1 but I can deal with that at final hearing. One of the  
2 things, too, is you might want to waive mediation in  
3 this case. I have requested in my motion that  
4 mediation be waived. There is an Order of Protection  
5 where they are not to be around each other. It would  
6 be difficult for a mediator to accommodate that. And  
7 I think that it really is just settling personal  
8 property. They don't have any -- and then whatever  
9 comes from the proceeds. They have no children.

10 09:45 THE COURT: That's granted.

11 09:48.2 Okay, sir, let me talk to you about one  
12 thing. We're narrowing the issues before the Court  
13 today.

14 09:56.6 MR. FENTON: Okay.

15 09:57.5 THE COURT: We're not going to be talking  
16 about the violation of the Order of Protection.  
17 That's going to be reset. So all of these documents  
18 you have don't apply to today.

19 10:06.5 MR. FENTON: Well, the back portion of  
20 them does talk about the marital residence but there  
21 is a lot of it about what you're saying, yes.

22 10:13.5 THE COURT: Now, let me just <sup>say</sup> ~~tell~~ you  
23 this -- and I just want to be clear about this. I  
24 don't want to get into an emotional discussion about  
25 what I will do and what I won't do. Let me just tell

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1 you how it, works. Once I put a Court order down, I  
2 really expect people to obey it.

3 10:34.4 MR. FENTON: Yes.

4 THE COURT: And so the only way a judge  
5 can enforce a Court order if someone refuses to do it,  
6 and we're seeing it more and more, people are doing  
7 what they want to do and not really paying attention  
8 to a Court order. And I'm taking the time to tell you  
9 this because I don't want you and me to have problems  
10 with this.

11 10:55.3 MR. FENTON: No.

12 10:56.5 THE COURT: And let me tell you, my  
13 personal feeling is, as a judge, a judge who does not  
14 back up his or her Court order is worthless.

15 11:06.2 Now, if you have a reasonable excuse for  
16 disobeying an order, I will certainly hear it. And  
17 the last thing I want to do is put someone in jail for  
18 violating an order.

19 11:18.4 MR. FENTON: Yes. And that's the last  
20 thing I want, too.

21 11:20.6 THE COURT: Sure. Right. And so you and  
22 I have an understanding. And so you don't know me but  
23 I do mean what I say.

24 11:26.8 MR. FENTON: I believe that.

25 11:28.7 THE COURT: Okay. Good. And so we can



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1 dispense with the rest of that.

2 11:32.1 MR. FENTON: And just as a question, were  
3 we saying that I disobeyed <sup>a</sup>the Court order? Because I  
4 had ~~→~~ tried ...

5 11:38.9 THE COURT: No, no, we don't have  
6 anything like that really in front of us but --

7 11:43.5 MR. FENTON: Okay.

8 11:44.9 THE COURT: But let me tell you what I'm  
9 going to do here because we have to get moving.

10 11:48.9 MR. FENTON: Right. Can I still tell a  
11 little bit of my side before you rule on all of that?

12 11:52.9 THE COURT AH...  
13 11:56.6 THE COURT: Briefly.

14 11:58.0 MR. FENTON: Okay. So basically on my  
15 side, the narrative that has been brought to the Court  
16 so far is completely fraudulent about my person, about  
17 who I am, about me being violent. All of this stuff.  
18 The documentation that I provided you with shows that  
19 my wife is a highly skilled handgun instructor who  
20 owns assault weapons, has 5,000 rounds of ammunition  
21 under her bed. I mean, she is trained by the NRA,  
22 certified by the State of Tennessee to do rape  
23 prevention, pepper spray, everything. So the whole  
24 guise of feeling physically endangered was not -- she  
25 tried to do that with her first attorney -- *she called the police....*

12:43.1 THE COURT: We're not dealing with that  
(interrupted)

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1 today.

2 12:44.2 MR. FENTON: I know. But that's  
3 basically the tone under which everything else is laid  
4 and that's --

5 12:50.2 THE COURT: I practiced law for 35 years.  
6 Long, hard years in the trenches.

7 12:55.1 MR. FENTON: Right.

8 12:55.7 THE COURT: I am trained to separate  
9 things in my mind that are important --

10 12:58.4 MR. FENTON: Okay.

11 THE COURT: -- and things that are  
12 unimportant. And I'm not trying to be rude to you,  
13 but you've got to trust me here. If you were a  
14 lawyer, I would be telling you the same thing. I  
15 would be saying, "Lawyer, that's not relevant to me  
16 right now."

17 13:15.1 MR. FENTON: Right.

18 13:14.0 THE COURT: I don't really care about all  
19 that. That's for another day. But let me just tell  
20 you this.

21 13:18.4 MR. FENTON: Okay.

22 13:19.6 THE COURT: These are real easy issues.  
23 I have got to put an order down for you to be out of  
24 that house.

25 13:27.6 MR. FENTON: I understand that.





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1           **14:31.6** MR. FENTON: Right.

2           **14:32.8** THE COURT: I can't make excuses for  
3 that. Listen to what I'm saying. I don't want you  
4 and I to get crossways with each other. We have to  
5 get a date set. I'm not going to make it two weeks.

6           **14:46** MR. FENTON: Well, originally we had said  
7 the 45th, and that's when I understood that date that  
8 I had to be out. And I never communicated with her  
9 anything other than that. You had said 30 days for my  
10 roommates and that's what I always thought it was.  
11 And originally my understanding was I was staying  
12 there while I was selling the property so I could stay  
13 there till closing. Now, I understand that's not my  
14 preference and I understand it's not their preference.  
15 I'm willing to do that different, but I need to  
16 have -- I have 3,000 square feet of stuff.

17           **15:16.9** THE COURT: What about another day in  
18 September? The first week in September?

19           **15:23.0** MS. STORY: And, again, we're not going  
20 to dispose of any of his personal items.

21           **15:26.8** THE COURT: They're not taking anything  
22 out of there. Do you understand that, sir?

23           **15:28.6** MR. FENTON: My understanding is --

24           **15:29.5** THE COURT: Whoa, whoa.

25           **15:30.5** MR. FENTON: No, I don't understand.



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1           **15:32.2** THE COURT: Your personal property. Your  
2 clothes. Personal property being like your watch.

3           **15:39.2** MR. FENTON: Furniture. That's all.

4           **15:39.7** THE COURT: No.

5           **15:40.1** MR. FENTON: We already agreed when me  
6 and my wife split it up that <sup>what was left at</sup> the house was mine. What  
7 she came and tagged is <sup>what's</sup> hers.

8           **15:47.5** THE COURT: This isn't working. What you  
9 want to do is be a lawyer.

10           **15:55.8** MR. FENTON: No, I don't. I can't afford  
11 a lawyer.

12           **15:58.7** THE COURT: I'm talking right now. This  
13 is not a barroom. I have to maintain order.

14           **16:06.2** MR. FENTON: Uh-huh.

15           **16:06.9** THE COURT: I don't want you to get your  
16 feelings hurt, but if you get your feelings hurt,  
17 that's your business. I have got to maintain the  
18 integrity of this hearing. You need to quit  
19 interrupting me. And I'm going to make a ruling and  
20 you're going to have to stick with it.

21           **16:20.4** MR. FENTON: Yeah.

22           **16:22.4** THE COURT: All right? You are going to  
23 have to.

24                               We are not touching any of the furniture  
25 and furnishings. You are to tag the items that you

**16:28.9 MR. FENTON - So what happens...**

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1 would like to have. Go buy some little tags, you  
2 know.

3 **16:37.6** MR. FENTON: But I wanted to take them  
4 with me so I'm only going over the bridge one time.  
5 That's what I was saying.

6 **16:42.8** THE COURT: Well, I know that you would  
7 like to do that but we're not doing that. Okay?  
8 That's not the fair way to do it. And I'm not going  
9 to sit here and explain to you why it's not because  
10 it's part of the law that you assume when you stand up  
11 and start representing yourself. Assume that you  
12 know.

13 **16:57.1** MR. FENTON: Okay. Then I would  
14 rather **← stay in the house while it's on auction**

15 **16:58.3** THE COURT: I can't talk while you're  
16 talking.

17 **17:05.1** MR. FENTON: Okay. I'm sorry. I would  
18 rather stay in the house during the auction with that  
19 being the case. But the only reason I was going to  
20 leave ahead of time **is because**

21 **17:10.6** THE COURT: You're not going to stay in  
22 the house.

23 **17:12.1** MR. FENTON: I'm not going to stay in the  
24 house?

25 **17:13.3** THE COURT: No, sir. You're going to



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1 leave by September 3rd noon, and you've got to be out  
2 of there or the sheriff will escort you off the  
3 property.

4 *17:20.6* MR. FENTON: *what* So<sup>r</sup> have I done wrong to  
5 receive that kind of treatment, Your Honor? I mean,  
6 my wife had two months to move out. *I mean we made a*  
*bunch of trips*

7 *17:30.1* THE COURT: Sir, we have already talked  
8 about all that. We had a previous hearing. We have a  
9 previous Court Order. You're representing yourself.  
10 You're assum<sup>ed</sup>ing to know everything we've already  
11 talked about. I'm not going to go over it with you  
12 and spend four hours --

13 *17:42.9* MR. FENTON: I understand.

14 *17:43.9* THE COURT: Excuse me. Trying to be nice  
15 to you when you are presumed to know and understand  
16 what we have already done. I'm trying my best to be  
17 patient with you and you're trying my patience. I'm  
18 just letting you know.

19 *17:59.1* MR. FENTON: I'm not trying to -- my last  
20 counsel had told me --

21 *18:01.9* THE COURT: Sir, I'm not interested in  
22 what your counsel told you. I'm sorry. It's not  
23 important to me at this point.

24 Now, let's go back to what I was saying.  
25 I want you out of the house by 12 noon September 3rd.

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1 If you're not out, the sheriff will escort you off the  
2 property. Do you understand that?

3 18:21.4 MR. FENTON: Yeah.

4 18:22.2 THE COURT: Number two, you are not to  
5 take with you any furniture, any furnishings, anything  
6 like that. All of that is going to remain in the home  
7 for now. You are to tag the items that you would like  
8 to have. That doesn't mean you're going to get them,  
9 but that you -- may I finish, please?

10 18:42 MR. FENTON: Uh-huh.

11 18:43.6 THE COURT: Is that a yes?

12 18:44.1 MR. FENTON: Yes, sir.

13 18:45.3 THE COURT: You are to tag the items that  
14 you would like to have.

15 18:48.8 MR. FENTON: Uh-huh.

16 18:51.8 THE COURT: In addition, you're to sign  
17 this contract today.

18 18:59.6 MR. FENTON: On the last Court Order you  
19 said that I could take my stuff with me after the  
20 ten-day walkthrough. That's what your last Court  
21 Order said, and I would like to be able to do that.

22 19:11.3 THE COURT: The day that you leave or  
23 that you have -- you have between now and  
24 September 3rd to get your personal items and you out  
25 of there.



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1           19:21.2 MR. FENTON: Yeah.

2           19:23.0 THE COURT: Do you understand that? Your  
3                   19:25.7 MR FENTON: My furniture, too?  
personal items, sir. You're not stupid. Listen,  
4 please. Your personal items are your clothes, your  
5 personal jewelry, and that's it.

6           19:36.9 MR. FENTON: My bed or my furniture?

7           19:38.9 THE COURT: No, sir. I'm going to say it  
8 for the third time. No furniture, no furnishings, no  
9 nothing.

10          19:46.7 MR. FENTON: That's not what you said in  
11 the last order.

12          19:49.3 THE COURT: Sir, you're not paying  
13 attention. You're not listening to what has happened.  
14 You're not paying attention to anything. And I'm not  
15 going to spend three or four hours here at the -- just  
16 trying to be nice to you and go through everything  
17 again. I'm just not going to do that. You're  
18 expected to know all of this.

19                   Now, you're choosing to represent  
20 yourself. There's not a thing that I can do about  
21 that.

22          20:14.1 MR. FENTON: I -- don't have any other money.

23          20:17.1 THE COURT: Excuse me. I'm talking.  
24                   When you choose to represent yourself,  
25 you take it upon yourself to know all of the rules,

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1 the law, everything.

2 20:31.1 Now, that doesn't sound fair but that's  
3 part of why we have to do it. We can't sit here and  
4 be your lawyer for you and start explaining things to  
5 you.

6 20:38.8 MR. FENTON: Okay.

7 20:39.2 THE COURT: I will try to be as  
8 accommodating and as nice to you as I possibly can. I  
9 don't think you're accepting that very well.

10 20:47.1 MR. FENTON: I'm not trying to be  
11 stubborn.

12 20:49.4 THE COURT: You're trying to fuss with me  
13 and argue with me and that's not what we're going to  
14 do today.

15 20:53.1 MR. FENTON: I'm not trying to fuss and  
16 argue with you. It's not what I understood your last  
17 order to be. *and it wasn't....*

18 21:01.5 THE COURT: I'm going to go over it one  
19 more time. *and then this is the last time.*

20 21:04.3 MR. FENTON: I heard you, *Your Honor, you don't*  
*have to*

21 21:54.4 THE COURT: No. I don't want there to be  
22 any misunderstanding because you have interrupted me  
23 several times.

24 21:09.8 MR. FENTON: Can I say one thing?

25 21:13.1 THE COURT: No. Listen. Don't try my



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1 patience.

2 21:17.2 MR. FENTON: I'm not trying to.

3 21:18.5 THE COURT: Yeah, you are.

4 21:19.3 MR. FENTON: No, I'm not.

5 21:20.5 THE COURT: Well, quit being rude. This  
6 is what we're doing. You're going to sign this  
7 contract now. Give it to him, Ms. Story.

8 21:45.1 You are to be out of the house. Do not  
9 take any furniture, furnishings, or anything. But  
10 you're to be out September 3rd at noon. The only  
11 thing you can take with you -- I'm saying this for the  
12 fourth time because I don't want there to be a  
13 misunderstanding. This is going to be a court order.  
14 Now, items that you would like to have, that doesn't  
15 mean you're going to get them, tag them. Put a tag on  
16 them. Go to the 5 and 10 store, get some red tags,  
17 whatever, and say I want this. Post it. Or just put  
18 "H" on it, or something like that. Just commonsense.

19 22:22.2 Wait a minute. I'm not through.

20 22:26.5 There will be a deputy there to make sure  
21 that you followed the Court Order and do what you're  
22 supposed to do. That means -- let me finish. You  
23 keep wanting to interrupt. You're not listening to  
24 what I'm saying. You're thinking about what you're  
25 going to tell me. And then I don't want you coming in

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1 and say, Judge, I didn't really understand that.

2 **22:53.6** Because I've been down this road with  
3 folks who represent themselves. They don't get it.  
4 They don't understand, and then they whine and  
5 bellyache and come back and say that just wasn't fair.

**23:04.8** 6 Fair is something you do in the fall. This is a  
7 courtroom. You are expected to know the rules. I am  
8 trying to be as cordial and as nice to you as I can  
9 **MR. FENTON: Thank you** but you're not letting me. All right.

10 **23:21.4** You signed the agreement, you understand  
11 that you're to be out September 3rd at 12 noon, no  
12 later. Not one minute later. You're to tag the items  
13 that you would like to have before you leave. Do you  
14 understand that?

15 **23:35.4** MR. FENTON: Yes, sir.

16 **23:38.7** THE COURT: Do not, in the meantime, move  
17 anything else out of that house. Do not sell  
18 anything. Do you understand me?

19 **23:45.6** MR. FENTON: Uh-huh.

20 **23:47.3** THE COURT: Is that a yes?

21 **23:47.9** MR. FENTON: Yes. Yes, Your Honor.

22 THE COURT: Well, "uh-huh" doesn't --

23 **23:50.2** MR. FENTON: I'm sorry. Yes, Your Honor.

24 **23:51.9** THE COURT: We're not in the bar. We're  
25 in the courtroom.





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1           24:45.4 MS. STORY: Since he probably will be  
2 moving to Michigan, I would be amenable to him  
3 attending the final hearing by telephone if he doesn't  
4 want to drive back. And I can tell you, I will try to  
5 accommodate him in any way I can.  
6           25:02.5 THE COURT: I know you will. You already  
7 have.  
8           25:06.3 MS. STORY: And, also, the order probably  
9 needs to say that Ms. Fenton can execute any other  
10 documents that need to be executed because he might  
11 not be here to sign anything, that Mr. Anderson might  
12 need signed. So I would like to be able to put that  
13 in the Order.  
14           25:20.6 THE COURT: All right. Then if you'll  
15 prepare the Order, that'll take care of us. That's  
16 what we're doing. That's the Order of the Court.  
17 Thank you very much.  
18           25:22.4 Proceedings were adjourned at 11:44 a.m.)  
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REPORTER'S CERTIFICATE

I, Emily L. Sipe, Court Reporter and Notary Public, do hereby certify that I recorded to the best of my skill and ability by machine shorthand all the proceedings in the foregoing transcript, and that said transcript is a true, accurate, and complete transcript to the best of my ability.

I further certify that I am not an attorney or counsel of any of the parties, nor a relative or employee of any attorney or counsel connected with the action, nor financially interested in the action.

SIGNED this 18th day of September 2019.

*Emily L. Sipe*

-----  
Emily L. Sipe, RPR, LCR  
Tennessee LCR No. 608  
Expires: 6/30/2020

<u>\$</u>	<u>A</u>	<u>auction</u>	<u>care</u>	<u>court</u>
<b>\$1,000</b> 6:18	<b>a.m.</b> 24:18	3:22 4:25 5:22 16:18	8:11 12:18 24:15	3:2,11,25 5:3,8,18,19,21,25 6:3,11 7:16,19 8:18,23 9:10,12, 15,22 10:1,4,5,8, 12,14,21,25 11:3, 5,8,12,14,25 12:5,8,11,18,22 13:1,4,19,22 14:2,17,21,24 15:1,4,8,12,15,22 16:6,15,21,25 17:7,9,14,21 18:4,11,13,16,18, 20,22 19:2,7,12, 23 20:7,12,18,21, 25 21:3,5,13,21 22:16,20,22,24 23:2,9,11,12,22 24:6,14,16
<b>\$2,500</b> 6:19	<b>accepting</b> 20:9	<b>auctioned</b> 4:21 5:23	<b>case</b> 8:16 9:3 16:19 23:13	
<u>1</u>	<b>accommodate</b> 9:6 24:5	<b>auctioneer</b> 3:23	<b>certified</b> 11:21	
<b>1</b> 4:13	<b>accommodating</b> 8:7 20:8	<b>auctions</b> 4:2,3	<b>chancery</b> 3:24	
<b>10</b> 21:16	<b>accompany</b> 6:10	<b>August</b> 3:11 4:22,23,24 5:24	<b>children</b> 9:9	
<b>11:44</b> 24:18	<b>account</b> 23:5	<b>authority</b> 5:4 8:15	<b>choose</b> 19:24	
<b>12</b> 17:25 22:11	<b>addition</b> 18:16	<u>B</u>	<b>choosing</b> 19:19	
<b>14th</b> 3:11	<b>address</b> 23:6	<b>back</b> 9:19 10:14 17:24 22:5 24:4	<b>Cincinnati</b> 7:5	
<b>15th</b> 5:11	<b>ADHD</b> 13:14	<b>bar</b> 22:24	<b>clear</b> 9:23	
<b>16th</b> 4:23	<b>adjourned</b> 24:18	<b>barroom</b> 15:13	<b>clerk's</b> 3:25 7:25	
<b>19</b> 3:11	<b>afford</b> 15:10	<b>basement</b> 6:19	<b>client</b> 7:21	
<b>1986</b> 3:21	<b>agreed</b> 15:5	<b>basically</b> 11:13 12:3	<b>client's</b> 6:16	
<b>1st</b> 4:22,24 5:12, 16,24 6:6	<b>agreement</b> 8:13 22:10	<b>bed</b> 11:20 19:6	<b>closing</b> 14:13	<b>courtroom</b> 22:7, 25
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**1**

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

**JEFFREY RYAN FENTON,**

PLAINTIFF

v.

**VIRGINIA LEE STORY ET AL.,**

DEFENDANTS

**CASE NO. 1:23-CV-1097**

**DECLARATION CERTIFYING THE AUTHENTICITY AND ACCURACY OF  
8/29/2019 TRANSCRIPT OF EVIDENCE AND AUDIO RECORDING OF HEARING**

Plaintiff brings this testimony pursuant to 28 U.S. Code § 1746.

I, Jeffrey Ryan Fenton, declare under oath as follows:

1. My name is Jeffrey Ryan Fenton.
2. I am the plaintiff in this federal lawsuit.
3. I am 54 years of age.
4. I am a citizen of the United States of America.
5. I am domiciled in Genesee County, Michigan.
6. My mailing address is 17195 Silver Parkway, #150, Fenton, MI 48430-3426.
7. Ms. Fawn Tiffany Fenton (hereinafter “Ms. Fenton”, “wife”, and “ex-wife”) and

I were together for fifteen years, thirteen of which we were married.

8. To reduce duplicity in the documentation filed with the court in this case, please

see my “List of Declarations by Jeffrey Ryan Fenton”, available both on the record in this federal lawsuit, as well as on the Internet<sup>1</sup>. Each of my declarations named and linked from this list are incorporated into this document by reference.

9. This list of declarations shall be updated as I am able to complete more, to provide the most robust and complete set of facts which I am capable of producing at each moment and time, considering the other challenges which I must simultaneously face and manage, due to my need to represent myself *pro se* in this lawsuit.

10. These facts are related both to the precipitating cases in the State of Tennessee, as well as my numerous attempts to obtain a cure through the courts, their oversight boards, and both state and federal law enforcement agencies.

11. To date, absolutely zero relief has been within my reach, despite the egregious felonies committed against me by the defendants in this case.

12. I am an ADA party<sup>2</sup>, qualified under the Americans with Disabilities Act of 1994, recognized as a vulnerable party, for consideration and accommodations to help me be able to realistically participate in, receive adequate protection from, and obtain justice through the federal judiciary of the United States of America.

13. Due to my disabilities (including both communication disabilities as well as my lack of education), further compounded by the extreme level of fraud committed in the precipitating actions by numerous powerful members of the court, I am literally unable to concisely articulate

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<sup>1</sup> <https://rico.jefffenton.com/evidence/fenton-list-of-declarations-to-date.pdf>

<sup>2</sup> <https://rico.jefffenton.com/evidence/fenton-declaration-of-disabilities.pdf>



the depth and breadth of the crimes that have been committed against me and the damages which I have and continue to daily suffer, in a single “linear” document format, such as in a long all-encompassing declaration or affidavit.

14. A more in-depth explanation is provided in my “Declaration of Disabilities<sup>3</sup>”.

15. My August 29<sup>th</sup>, 2019 hearing in docket #48419B took place inside the “Historic Williamson County Courthouse” found on Main Street (U.S. 31) at 3rd Avenue South in Franklin, Tennessee.

16. On information and belief, the street address for the Historic Williamson County Courthouse is believed to be 305 Public Square, Franklin, TN 37064. (It is within walking distance of the County Judicial Center found at 135 4<sup>th</sup> Avenue South, Franklin, TN 37064.)

17. In attendance at this hearing were Chancellor Michael Weimar Binkley, opposing Counsel Attorney Virginia Lee Story, and myself, Jeffrey Ryan Fenton.

18. I represented myself *pro se* as of the start of this hearing, because I could no longer afford legal counsel after my home was ordered to be auctioned during my very first hearing in docket #48419B, prior to the start of discovery.

19. At the beginning of this hearing Chancellor Binkley exited the Court Room and procured the services of Emily L. Sipe, RPR, LCR, Tennessee LCR No. 608, with Harpeth Court Reporters for the purpose of recording our hearing.

20. After which I requested to hire her, and Attorney Story agreed to split the per diem

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<sup>3</sup> <https://rico.jefffenton.com/evidence/fenton-declaration-of-disabilities.pdf>

with me for her services.

21. Chancellor Binkley put his arrangement on the record at the top of the transcripts, stating: *“I want that to be in the Order because it's best that we put everything in the Order. This gentleman, he's going to share and pay one half of the per diem plus any expenses that he may incur as a result of asking for all or a portion of the transcript that will be ordered by him.”*

22. I also asked Chancellor Binkley for his permission to allow me to record the audio from that hearing, with a voice recorder I had brought with me. Chancellor Binkley openly approved in court, prior to me turning the device on. After which it continued to record the entire hearing, uninterrupted.

23. My mother and I meticulously and repeatedly compared the official transcripts of evidence prepared by licensed court reporter Emily L. Sipe, RPR, LCR, Tennessee LCR No. 608, with the audio recording from that same hearing, recorded with the permission of Judge Michael Weimar Binkley.

24. My mother and I carefully synchronized the audio recording with the written transcript, by writing the timestamps from the audio to the left of each new paragraph in the transcript (except when extremely short).

25. We methodically did this throughout the roughly 30-minute-long hearing.

26. This transcript consists of 25-typed pages, not counting the index.

27. My mother and I also made very minor language and grammatical corrections to Ms. Sipe's typed transcripts (to match what was said, having the exact audio clearly recorded, by which to verify it).

28. To easily differentiate the certified original transcripts from any corrections or timestamps which we made on the documents, we performed our work by hand, using bold red ink.

29. No pages or original text was removed, deleted, covered-up, or made illegible.

30. Beyond what is clearly recognizable, notated with red ink, using manual handwriting (instead of by any digital or typed process), I hereby provide my sworn declaration and oath, under the penalty of perjury, that no other modification<sup>4</sup>, addition, or subtraction was executed upon this certified original transcript<sup>5</sup> of evidence from this 8/29/2019 hearing in Williamson County Chancery Court.

31. Similarly, audio recording “2019-08-29\_chancery-hearing-audio-recording.mp3”, is the original, authentic, true verbatim audio recording<sup>6</sup>, of the same August 29, 2019 hearing in Williamson County Chancery Court.

32. This recording was performed with the permission of Chancellor Michael Weimar Binkley, granted immediately prior to starting my recording device.

33. This audio recording was created in good faith, and has been retained in its entirety, as is evidenced by the content matching nearly perfectly with the certified original transcript of evidence, recorded by licensed Tennessee court reporter, Emily L. Sipe, RPR, LCR No. 608.

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<sup>4</sup> Publishing exceptions: I’ve added a footer throughout showing the document and case information, as well as the URL to where both the written transcript and the audio recording can be found online. I’ve also redacted my ex-wife’s middle name for her privacy.

This declaration has also been appended to the transcript for simplicity, authentication, and ease of use.

Documentation regarding the violations of law, the federal rules, and the rules of professional conduct may also be added.

<sup>5</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)

<sup>6</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)

34. I believe that this audio recording is necessary to establish, determine, and prove the context, tone, respect, abuse, forcefulness, harassment, manner, concern, coercion, and care shown by defendants Binkley and Story during this critical hearing.

35. I do not believe that the above characteristics can be accurately determined and gauged by reading the typed transcripts alone, without hearing the actual words spoken.

36. I believe that the evidentiary value of this audio recording, increases the evidentiary value of the certified original transcript of evidence<sup>7</sup>.

37. I conversely believe that the evidentiary value of the certified original transcript<sup>8</sup> of evidence, validates and increases the evidentiary value of this audio recording.<sup>9</sup>

38. On information and belief, I believe that it is self-evident that through cross-referencing and examination, that both this transcript of evidence combined with this audio recording from the same hearing, provide a far more comprehensive, complete, and accurate record of evidence from this hearing.

39. On information and belief, the conduct of the court and counsel during this one hearing is one of the most critical pieces of evidence I have for demonstrating the excessive foul-play between defendants Binkley and Story.

40. The only editing performed on this audio recording was to remove noise while attempting to balance and clarify our voices. The metadata was also populated to provide

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<sup>7</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jeffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)

<sup>8</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jeffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)

<sup>9</sup> [https://rico.jeffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jeffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)



contextual information.

41. I Jeffrey Ryan Fenton hereby provide my sworn declaration and oath, under the penalty of perjury, that this audio recording has not been added to, subtracted from, or modified in any way to change the factual contents of the testimony given in court on 8/29/2019.

42. I further certify and swear that this audio recording<sup>10</sup> is an authentic, true, and complete audio recording of my hearing in Williamson County Chancery Court on 8/29/2019.

43. On information and belief, this audio evidence, when tested and verified against the true facts of the matters herein, the supreme law of the land, the judicial canons, the federal rules, the State of Tennessee's Rules of both Judicial and Professional Conduct, the record to date in docket #48419B, and the claims, demands, and orders by defendants Story and Binkley herein, prove that significant criminal misconduct was performed during this hearing by defendants Story and Binkley. At the same time a level of bias and collusion were demonstrated by defendant Binkley which clearly exceeded any tolerable threshold, by which defendant Binkley was stripped of all lawful authority prior to any valid orders being issued by this court.

44. Because defendant Binkley refused to recuse himself despite his obvious bias against me and his unlawful and even unethical actions in favor of defendant Story and her client, not only was every order of this court without lawful jurisdiction and authority due to him having been automatically disqualified by 455(a), but the lawless demands by defendant Story and the lawless orders by defendant Binkley were performed without legal authority and are in fact void.

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<sup>10</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)

45. Said orders constituted felony crimes committed against me, my life, my property, and my person, by defendants Binkley and Story, under the color of law, office, and official right, though wholly repugnant of the law.

46. On page-6, lines 20-23 of this transcript of evidence, defendant Story stated, *“So if you let him take anything out at this point it's going to be sold and he's dissipating marital assets, which would be in violation of the restraining order.”* **This is a bold face lie.**

47. On page-2, section IV of attorney Story's divorce complaint filed in #48419B, it states, *“Plaintiff would show that the parties have no assets other than personal property which has been divided with the exception of a few items. Husband and Wife have lived separately since April 2018.”*

**IV.**

Plaintiff would show that the parties have no assets other than personal property which has been divided with the exception of a few items. Husband and Wife have lived separately since April 2018.

*Husband will take such actions as necessary to protect the marital assets and to ensure the marital assets are protected in the state of the state. Wife has agreed to Husband and will make every attempt to keep the assets safe.*

**Wife's Complaint for Divorce, Page 2, Section IV  
Case 1:23-cv-01097-PLM-RSK, ECF 1-17, PageID.648**

48. Hence the claim that I was “dissipating marital assets” wasn't even physically possible in any meaningful capacity.

49. In the previous court order from the 8/1/2019 hearing, while I had the benefit of counsel, before I was financially forced to represent myself pro se in this court, the order of the court from the 8/1/2019 hearing stated in part, *“Husband will take such actions as necessary to*

*move items of personal property that he would like to retain and tag, price or do whatever steps are necessary to sell the remaining items of personal property. The remaining items at the house that Husband does not take and Wife does not take shall be sold at auction.”*

50. I did no more or less than I was allowed to per the express order of the court from the 8/1/2019 hearing by defendants Story and Binkley.

51. Yet I was chastised, harassed, and harshly punished under the false, fraudulent, and substantially impossible claims by defendant Story, “*So if you let him take anything out at this point it's going to be sold and he's dissipating marital assets, which would be in violation of the restraining order.*”

52. This was the clear crime of “**obstruction of justice**”, while I have evidence from both before and after that hearing, which clearly prove that Attorney Story was well aware that her claims were false. She intentionally “cried wolf”, with deceptive claims, for the specific purpose of having my wrongfully evicted from my home, and subsequently the State of Tennessee.

53. On information and belief, I believe that in this intentionally obstructive act by defendant Story, she committed both State and Federal felony crimes against me, while she also violated a multitude the State of Tennessee’s Rules of Professional Conduct.

54. On information and belief, I believe that defendant Story committed at least the following violations of Professional Conduct, by exerting these fraudulent claims:

Tenn. R. Sup. Ct. 8.4 – Misconduct:

- It is professional misconduct for a lawyer to:

- (c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation;
- (d) engage in conduct that is prejudicial to the administration of justice;

Tenn. R. Sup. Ct. 3.5 – Impartiality and Decorum of The Tribunal

- A lawyer shall not:
- (e) engage in conduct intended to disrupt a tribunal.

Tenn. R. Sup. Ct. 3.4 – Fairness to Opposing Party and Counsel

- A lawyer shall not:
- (e) in trial,
  - (1) allude to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence; or
  - (2) assert personal knowledge of facts in issue except when testifying as a witness; or
  - (3) state a personal opinion as to the justness of a cause, the credibility of a witness, the culpability of a civil litigant or the guilt or innocence of an accused; or
- (g) request or assist any person **to take action that will render the person unavailable to appear** as a witness by way of deposition or at trial



55. During the 8/1/2019 hearing, the Court and Counsel evicted my tenants, who paid me \$1,400 per month in rents.

56. My rental income was my only stream of income<sup>11</sup>, at that moment and time, due to the secret betrayal by my ex-wife and her counsel without lawful or ethical notice.

57. On information and belief, the result of my 8/1/2019 hearing was the court ordered auction of my marital residence, with no minimums.

58. On information and belief, the court knew that I was not employed at that moment, nor was I capable of immediately obtaining employment due to my disabilities combined with defendant Story's aggressive litigation. The changes which were being forced upon me during that month and a half demanded all of my attention to simply survive while trying not to lose more of my life, my freedom, or my property than was required by the circumstances and parties involved.

59. On information and belief, the events which took place and the testimony that was recorded during this 8/29/2019 hearing, are of critical value and consequence to my life and liberty, in my pursuit for justice without discrimination or bias.

60. None of this has been provided for any improper purpose.

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<sup>11</sup> [https://rico.jefffenton.com/evidence/2019-03-26\\_fenton-sunnyside-roommate-lease-merriman.pdf](https://rico.jefffenton.com/evidence/2019-03-26_fenton-sunnyside-roommate-lease-merriman.pdf)  
[https://rico.jefffenton.com/evidence/2019-04-09\\_fenton-sunnyside-roommate-lease-garcia.pdf](https://rico.jefffenton.com/evidence/2019-04-09_fenton-sunnyside-roommate-lease-garcia.pdf)

**DECLARATION**

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct, except as to matters herein stated to be on information and belief, and as to such matters, I certify as aforesaid that I verily believe the same to be true.

Executed on January 10, 2024



**JEFFREY RYAN FENTON**

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A list of all my published declarations of fact and testimony can be found online at:  
<https://rico.jefffenton.com/evidence/fenton-list-of-declarations-to-date.pdf>

**2**

## Tenn. R. Sup. Ct. 2.11

### Rule 2.11 - Disqualification

**(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:**

**(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.**

**(2) The judge knows that the judge, the judge's spouse or domestic partner, or a person within the third degree of relationship to either of them, or the spouse or domestic partner of such a person is:**

**(a) a party to the proceeding, or an officer, director, general partner, managing member, or trustee of a party;**

**(b) acting as a lawyer in the proceeding;**

**(c) a person who has more than a de minimis interest that could be substantially affected by the proceeding; or**

**(d) likely to be a material witness in the proceeding.**

**(3) The judge knows that he or she, individually or as a fiduciary, or the judge's spouse, domestic partner, parent, or child, or any other member of the judge's family residing in the judge's household, has an economic interest in the subject matter in controversy or is a party to the proceeding.**

**(4) The judge knows or learns by means of a timely motion that a party, a party's lawyer, or the law firm of a party's lawyer has made contributions or given such support to the judge's campaign that the judge's impartiality might reasonably be questioned.**

**(5) The judge, while a judge or a judicial candidate, has made a public statement, other than in a court proceeding, judicial decision, or opinion, that commits or appears to commit the judge to reach a particular result or rule in a particular way in the proceeding or controversy.**

**(6) The judge:**

**(a) served as a lawyer in the matter in controversy, or was associated with a lawyer who participated substantially as a lawyer in the matter during such association;**

**(b) served in governmental employment, and in such capacity participated personally and substantially as a lawyer or public official concerning the proceeding, or has publicly expressed in such capacity an opinion concerning the merits of the particular matter in controversy;**

**(c) was a material witness concerning the matter;**



(d) previously presided as a judge over the matter in an inferior court; or

(e) previously participated in a judicial settlement conference in the matter. Prior participation in a judicial settlement conference does not prohibit the judge from disposing of any uncontested issues in the matter.

(B) A judge shall keep informed about the judge's personal and fiduciary economic interests, and make a reasonable effort to keep informed about the personal economic interests of the judge's spouse or domestic partner and minor children residing in the judge's household.

(C) A judge subject to disqualification under this Rule, other than for bias or prejudice under paragraph (A)(1) or for participation in a judicial settlement conference under paragraph (A)(6)(e), may disclose on the record the basis of the judge's disqualification and may ask the parties and their lawyers to consider, outside the presence of the judge and court personnel, whether to waive disqualification. If, following the disclosure, the parties and lawyers agree, without participation by the judge or court personnel, that the judge should not be disqualified, the judge may participate in the proceeding. The agreement shall be incorporated into the record of the proceeding.

(D) Upon the making of a motion seeking disqualification, recusal, or a determination of constitutional or statutory incompetence, a judge shall act promptly by written order and either grant or deny the motion. If the motion is denied, the judge shall state in writing the grounds upon which he or she denies the motion.

*Tenn. R. Sup. Ct. 2.11*

**Comment**

[1] *Under this Rule, a judge is disqualified whenever the judge's impartiality might reasonably be questioned, regardless of whether any of the specific provisions of paragraphs (A)(1) through (6) apply. In many jurisdictions, the term "recusal" is used interchangeably with the term "disqualification."*

[2] *A judge is obligated not to hear or decide matters in which disqualification is required, even though a motion to disqualify is not filed.*

[3] *The rule of necessity may override the rule of disqualification. For example, a judge might be required to participate in judicial review of a judicial salary statute, or might be the only judge available in a matter requiring immediate judicial action, such as a hearing on probable cause or a temporary restraining order. In matters that require immediate action, the judge must disclose on the record the basis for possible disqualification and make reasonable efforts to transfer the matter to another judge as soon as practicable.*

[4] *The fact that a lawyer in a proceeding is affiliated with a law firm with which a relative of the judge is affiliated does not itself disqualify the judge. If, however, the judge's impartiality might reasonably be questioned under paragraph (A), or the relative is known by the judge to have an interest in the law firm that could be substantially affected by the proceeding under paragraph (A)(2)(c), the judge's disqualification is required.*

[5] *A judge should disclose on the record information that the judge believes the parties or their lawyers might reasonably consider relevant to a possible motion for disqualification, even if the judge believes there is no basis for disqualification.*

[6] "Economic interest," as set forth in the Terminology section, means ownership of more than a de minimis legal or equitable interest. Except for situations in which a judge participates in the management of such a legal or equitable interest, or the interest could be substantially affected by the outcome of a proceeding before a judge, it does not include:

(1) an interest in the individual holdings within a mutual or common investment fund;

(2) an interest in securities held by an educational, religious, charitable, fraternal, or civic organization in which the judge or the judge's spouse, domestic partner, parent, or child serves as a director, officer, advisor, or other participant;

(3) a deposit in a financial institution or deposits or proprietary interests the judge may maintain as a member of a mutual savings association or credit union, or similar proprietary interests; or

(4) an interest in the issuer of government securities held by the judge.

[7] The fact that a lawyer in a proceeding, or a litigant, contributed to the judge's campaign, or supported the judge in his or her election does not of itself disqualify the judge. Absent other facts, campaign contributions within the limits of the "Campaign Contributions Limits Act of 1995," Tennessee Code Annotated Title 2, Chapter 10, Part 3, or similar law should not result in disqualification. However, campaign contributions or support a judicial candidate receives may give rise to disqualification if the judge's impartiality might reasonably be questioned. In determining whether a judge's impartiality might reasonably be questioned for this reason, a judge should consider the following factors among others:

(1) The level of support or contributions given, directly or indirectly, by a litigant in relation both to aggregate support (direct and indirect) for the individual judge's campaign and to the total amount spent by all candidates for that judgeship;

(2) If the support is monetary, whether any distinction between direct contributions or independent expenditures bears on the disqualification question;

(3) The timing of the support or contributions in relation to the case for which disqualification is sought; and

(4) If the supporter or contributor is not a litigant, the relationship, if any, between the supporter or contributor and (i) any of the litigants, (ii) the issue before the court, (iii) the judicial candidate or opponent, and (iv) the total support received by the judicial candidate or opponent and the total support received by all candidates for that judgeship.

[8] Trial judges sometimes sit by designation on courts of appeal, and vice versa. Such judges should not hear cases over which they presided in a different court, and paragraph A(6)(d) makes that clear. This Rule, however, applies only to judges who have heard the case in "an inferior court," and does not apply to a judge who decided a case on a panel of an appellate court subsequently participating in the rehearing of the case en banc with that same court.

[9] There are several bases upon which a judge should determine whether to preside over a case. These include this Rule, Tennessee Constitution Article VI, Section 11 (incompetence) and Tenn. Code Ann. Title 17, Chapter 2 (incompetence, disability and interchange). This Rule requires judges to employ constitutional, statutory and procedural rules to determine motions for issues related to whether the judge should preside over a case. For example, Tenn. Sup. Ct. R. 10B governs the filing and disposition of motions for disqualification or recusal, as well as appeals from the denial of such motions.

*[10] In rare instances, a motion for recusal might seek the recusal of all judges sitting as a multi-judge court (i.e., an intermediate appellate court or the Supreme Court). Paragraph (A) of this Rule provides that "[a] judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned[.]" Also, the specific grounds for disqualification listed in this Rule necessarily apply to individual judges. For both reasons, a motion seeking to recuse all members of a multi-judge court must be treated as an individual motion as to each judge of the court; each judge therefore must rule upon the motion as to the alleged grounds pertaining to that individual judge.*

*[11] In courts not of record, such as general sessions and municipal courts, a written notation on the judgment, warrant, citation or other pleading before the court is sufficient to meet the requirements in paragraph (D) that the judge file a "written order" and, if denying the motion, that "the judge shall state in writing the grounds upon which he or she denies the motion." In those courts, no separate order regarding the motion need be filed by the judge.*

*Rule 2.12*

## 28 U.S.C. § 455

Section 455 - Disqualification of justice, judge, or magistrate judge

**(a)** Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.

**(b)** He shall also disqualify himself in the following circumstances:

**(1)** Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

**(2)** Where in private practice he served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it;

**(3)** Where he has served in governmental employment and in such capacity participated as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy;

**(4)** He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding;

**(5)** He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:

**(i)** Is a party to the proceeding, or an officer, director, or trustee of a party;

**(ii)** Is acting as a lawyer in the proceeding;

**(iii)** Is known by the judge to have an interest that could be substantially affected by the outcome of the proceeding;

**(iv)** Is to the judge's knowledge likely to be a material witness in the proceeding.

**(c)** A judge should inform himself about his personal and fiduciary financial interests, and make a reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household.

**(d)** For the purposes of this section the following words or phrases shall have the meaning indicated:

**(1)** "proceeding" includes pretrial, trial, appellate review, or other stages of litigation;

**(2)** the degree of relationship is calculated according to the civil law system;

**(3)** "fiduciary" includes such relationships as executor, administrator, trustee, and guardian;



## Tenn. R. Sup. Ct. 3.4

### Rule 3.4 - Fairness to Opposing Party and Counsel

#### A lawyer shall not:

- (a) unlawfully obstruct another party's access to evidence or unlawfully alter, destroy, or conceal a document or other material having potential evidentiary value. A lawyer shall not counsel or assist another person to do any such act; or
- (b) falsify evidence, counsel or assist a witness to offer false or misleading testimony; or
- (c) knowingly disobey an obligation under the rules of a tribunal, except for an open refusal based on an assertion that no valid obligation exists; or
- (d) in pretrial procedure, make a frivolous discovery request or fail to make a reasonably diligent effort to comply with a legally proper discovery request by an opposing party; or
- (e) in trial,
  - (1) allude to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence; or
  - (2) assert personal knowledge of facts in issue except when testifying as a witness; or
  - (3) state a personal opinion as to the justness of a cause, the credibility of a witness, the culpability of a civil litigant or the guilt or innocence of an accused; or
- (f) request a person other than a client to refrain from voluntarily giving relevant information to another party unless:
  - (1) the person is a relative or an employee or other agent of a client; and
  - (2) the lawyer reasonably believes that the person's interests will not be adversely affected by refraining from giving such information; or
- (g) request or assist any person to take action that will render the person unavailable to appear as a witness by way of deposition or at trial; or
- (h) offer an inducement to a witness that is prohibited by law; or pay, offer to pay, or acquiesce in the payment of compensation to a witness contingent on the content of his or her testimony or the outcome of the case. A lawyer may advance, guarantee, or acquiesce in the payment of:
  - (1) expenses reasonably incurred by a witness in attending or testifying;
  - (2) reasonable compensation to a witness for that witness's loss of time in attending or testifying; or
  - (3) a reasonable fee for the professional services of an expert witness.

*Tenn. R. Sup. Ct. 3.4*

*Comment*

*[1] The procedure of the adversary system contemplates that the evidence in a case is to be marshaled competitively by the contending parties. Fair competition in the adversary system is secured by prohibitions against destruction or concealment of evidence, improperly influencing witnesses, obstructive tactics in discovery procedure, and the like.*

*[2] Documents and other items of evidence are often essential to establish a claim or defense. Subject to evidentiary privileges, the right of an opposing party, including the government, to obtain evidence through discovery or subpoena is an important procedural right. The exercise of that right can be frustrated if relevant material is altered, concealed, or destroyed. Applicable law in many jurisdictions makes it an offense to destroy material for the purpose of impairing its availability in a pending proceeding or one whose commencement can be foreseen. Falsifying evidence is also generally a criminal offense. Paragraph (a) applies to evidentiary material generally, including computerized information. Applicable law may permit a lawyer to take temporary possession of physical evidence of client crimes for the purpose of conducting a limited examination that will not alter or destroy material characteristics of the evidence. In such a case, applicable law may require the lawyer to turn the evidence over to the police or other prosecuting authority, depending on the circumstances.*

*[3] Although paragraph (f) broadly prohibits lawyers from taking extrajudicial action to impede informal fact-gathering, it does permit the lawyer to request that the lawyer's client, and relatives, employees, or agents of the client, refrain from voluntarily giving information to another party. This principle follows because such relatives and employees will normally identify their interests with those of the client. See also RPC 4.2.*

*[4] With regard to paragraph (h), it is not improper to pay a witness's expenses or to compensate an expert witness on terms permitted by law. The common law rule in most jurisdictions is that it is improper to pay an occurrence witness any fee for testifying and that it is improper to pay an expert witness a contingent fee.*

*DEFINITIONAL CROSS-REFERENCES "Knowingly" See RPC 1.0(f) "Material" See RPC 1.0(o) "Reasonable" and "reasonably" See RPC 1.0(h) "Reasonably believes" See RPC 1.0(i) "Tribunal" See RPC 1.0(m)*

## Tenn. R. Sup. Ct. 8.4

### Rule 8.4 - MISCONDUCT

It is professional misconduct for a lawyer to:

- (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects;
- (c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation;
- (d) engage in conduct that is prejudicial to the administration of justice;
- (e) state or imply an ability to influence a tribunal or a governmental agency or official on grounds unrelated to the merits of, or the procedures governing, the matter under consideration;
- (f) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law; or
- (g) knowingly fail to comply with a final court order entered in a proceeding in which the lawyer is a party, unless the lawyer is unable to comply with the order or is seeking in good faith to determine the validity, scope, meaning, or application of the law upon which the order is based.

*Tenn. R. Sup. Ct. 8.4*

#### *Comment*

[1] *Lawyers are subject to discipline when they violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another, as when they request or instruct an agent to do so on the lawyer's behalf. Paragraph (a), however, does not prohibit a lawyer from advising a client concerning action the client is legally entitled to take.*

[2] *Many kinds of illegal conduct reflect adversely on fitness to practice law, such as offenses involving fraud and the offense of willful failure to file an income tax return. However, some kinds of offenses carry no such implication. Traditionally, the distinction was drawn in terms of offenses involving "moral turpitude." That concept can be construed to include offenses concerning some matters of personal morality, such as adultery and comparable offenses, that have no specific connection to fitness for the practice of law. Although a lawyer is personally answerable to the entire criminal law, a lawyer should be professionally answerable only for offenses that indicate lack of those characteristics relevant to law practice. Offenses involving violence, dishonesty, breach of trust, or serious interference with the administration of justice are in that category. Although under certain circumstances a single offense reflecting adversely on a lawyer's fitness to practice - such as a minor assault - may not be sufficiently serious to warrant discipline, a pattern of repeated offenses, even ones that are of minor significance when considered separately, can indicate indifference to legal obligation.*

[3] *A lawyer who, in the course of representing a client, knowingly manifests, by words or conduct, bias or prejudice based on race, sex, religion, national origin, disability, age, sexual orientation, or socio-economic status violates paragraph (d) when such actions are prejudicial to the administration of justice. Legitimate advocacy respecting the foregoing factors does not violate paragraph (d).*

## Tenn. R. Sup. Ct. 3.5

### Rule 3.5 - Impartiality and Decorum of The Tribunal

#### A lawyer shall not:

- (a) seek to influence a judge, juror, prospective juror, or other official by means prohibited by law;
- (b) communicate ex parte with such a person during the proceeding unless authorized to do so by law or court order;
- (c) communicate with a juror or prospective juror after discharge of the jury if:
  - (1) the communication is prohibited by law or court order;
  - (2) the juror has made known to the lawyer a desire not to communicate; or
  - (3) the communication involves misrepresentation, coercion, duress, or harassment;
- (d) conduct a vexatious or harassing investigation of a juror or prospective juror; or
- (e) engage in conduct intended to disrupt a tribunal.

*Tenn. R. Sup. Ct. 3.5*

#### **Comment**

[1] Many forms of improper influence upon a tribunal are proscribed by criminal law. Others are specified in the Tennessee Code of Judicial Conduct, with which an advocate should be familiar. A lawyer is required to avoid contributing to a violation of such provisions. For example, a lawyer shall not give or lend anything of value to a judge, judicial officer, or employee of a tribunal, except as permitted by RJC 3.13 of the Code of Judicial Conduct. A lawyer, however, may make a contribution to the campaign fund of a candidate for judicial office in conformity with RJC 4.4 of the Code of Judicial Conduct.

[2] During a proceeding a lawyer may not communicate ex parte with persons serving in an official capacity in the proceeding, such as judges, masters or jurors, unless authorized to do so by law or court order. Unless such a communication is otherwise prohibited by law or court order, paragraph (b) of this Rule would not prohibit a lawyer from communicating with a judge on the merits of the cause in writing if the lawyer promptly delivers a copy of the writing to opposing counsel and to parties who are not represented by counsel because that would not be an ex parte communication.

[3] Paragraph (b) also does not prohibit a lawyer from communicating with a judge in an ex parte hearing to establish the absence of a conflict of interest under RPC 1.7(c). In such proceedings, the lawyer is of course bound by the duty of candor in RPC 3.3(a)(3).

[4] A lawyer may on occasion want to communicate with a juror or prospective juror after the jury has been discharged. The lawyer may do so unless the communication is prohibited by law or a court order entered in the case or by a federal court rule, but must respect the desire of the juror not to talk with the lawyer. The lawyer may not engage in improper conduct during the communication. As the Court stated in *State v. Thomas*, 813 S.W. 2d. 395 (Tenn. 1991): "After the trial, communication by a lawyer with jurors is permitted so long as he [or she] refrains from asking questions or making comments that tend to harass or embarrass the juror or to influence actions of the juror in future cases. Were a lawyer to be prohibited from communicating after trial with a juror, he [or she] could



*not ascertain if the verdict might be subject to legal challenge, in which event the invalidity of a verdict might go undetected." Id. (quoting Tenn. Sup. Ct. R. 8, EC 7-291 ). The Court went on to state in Thomas that "Rule 8 therefore allows post-trial interviews by Counsel with jurors on these matters without the prior approval of the trial court." Id. at 396. Although the Court's analysis in Thomas was based on an earlier version of Rule 8 (i.e., the Code of Professional Responsibility), the foregoing principles quoted from Thomas remain valid in the context of RPC 3.5.*

*[4a] A communication with, or an investigation of, the spouse, child, parent, or sibling of a juror or prospective juror will be deemed a communication with or an investigation of the juror or prospective juror.*

*[5] The advocate's function is to present evidence and argument so that the cause may be decided according to law. Refraining from abusive or obstreperous conduct is a corollary of the advocate's right to speak on behalf of litigants. A lawyer may stand firm against abuse by a judge, but should avoid reciprocation; the judge's default is no justification for similar dereliction by an advocate. An advocate can present the cause, protect the record for subsequent review, and preserve professional integrity by patient firmness no less effectively than by belligerence or theatrics.*

*[6] The duty to refrain from disruptive conduct applies to any proceeding of a tribunal, including a deposition. See RPC 1.0(m).*

*DEFINITIONAL CROSS-REFERENCES "Known" See RPC 1.0(f) "Tribunal" See RPC 1.0(m)*

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EXHIBIT #2

2020 FEB 19 PM 1:10

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**FAWN [REDACTED] FENTON**

VS

**JEFFREY RYAN FENTON**

Hearing

*August 29, 2019*

**H**

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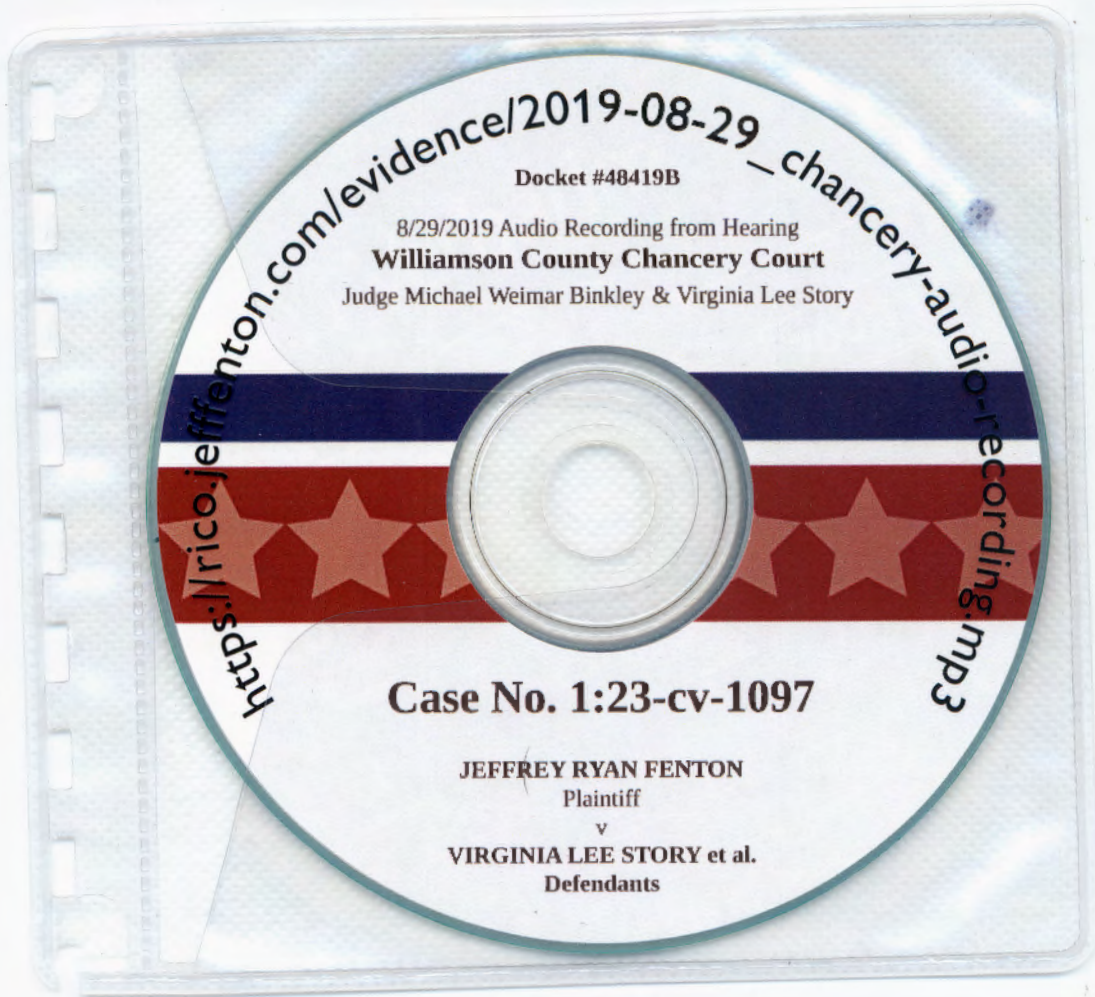
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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

**FILED - LN**

January 19, 2024 5:03 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: jjg / \_\_\_\_\_ SCANNED BY: 2001/22

**JEFFREY RYAN FENTON,**

PLAINTIFF

v.

**VIRGINIA LEE STORY ET AL.,**

DEFENDANTS

**CASE NO. 1:23-cv-1097**

**DECLARATION CERTIFYING THE AUTHENTICITY AND ACCURACY OF  
8/29/2019 TRANSCRIPT OF EVIDENCE AND AUDIO RECORDING OF HEARING**

Plaintiff brings this testimony pursuant to 28 U.S. Code § 1746.

I, Jeffrey Ryan Fenton, declare under oath as follows:

1. My name is Jeffrey Ryan Fenton.
2. I am the plaintiff in this federal lawsuit.
3. I am 54 years of age.
4. I am a citizen of the United States of America.
5. I am domiciled in Genesee County, Michigan.
6. My mailing address is 17195 Silver Parkway, #150, Fenton, MI 48430-3426.
7. Ms. Fawn Tiffany Fenton (hereinafter "Ms. Fenton", "wife", and "ex-wife") and

I were together for fifteen years, thirteen of which we were married.

8. To reduce duplicity in the documentation filed with the court in this case, please

see my “List of Declarations by Jeffrey Ryan Fenton”, available both on the record in this federal lawsuit, as well as on the Internet<sup>1</sup>. Each of my declarations named and linked from this list are incorporated into this document by reference.

9. This list of declarations shall be updated as I am able to complete more, to provide the most robust and complete set of facts which I am capable of producing at each moment and time, considering the other challenges which I must simultaneously face and manage, due to my need to represent myself *pro se* in this lawsuit.

10. These facts are related both to the precipitating cases in the State of Tennessee, as well as my numerous attempts to obtain a cure through the courts, their oversight boards, and both state and federal law enforcement agencies.

11. To date, absolutely zero relief has been within my reach, despite the egregious felonies committed against me by the defendants in this case.

12. I am an ADA party<sup>2</sup>, qualified under the Americans with Disabilities Act of 1994, recognized as a vulnerable party, for consideration and accommodations to help me be able to realistically participate in, receive adequate protection from, and obtain justice through the federal judiciary of the United States of America.

13. Due to my disabilities (including both communication disabilities as well as my lack of education), further compounded by the extreme level of fraud committed in the precipitating actions by numerous powerful members of the court, I am literally unable to concisely articulate

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<sup>1</sup> <https://rico.jefffenton.com/evidence/fenton-list-of-declarations-to-date.pdf>

<sup>2</sup> <https://rico.jefffenton.com/evidence/fenton-declaration-of-disabilities.pdf>



the depth and breadth of the crimes that have been committed against me and the damages which I have and continue to daily suffer, in a single “linear” document format, such as in a long all-encompassing declaration or affidavit.

14. A more in-depth explanation is provided in my “Declaration of Disabilities<sup>3</sup>”.

15. My August 29<sup>th</sup>, 2019 hearing in docket #48419B took place inside the “Historic Williamson County Courthouse” found on Main Street (U.S. 31) at 3rd Avenue South in Franklin, Tennessee.

16. On information and belief, the street address for the Historic Williamson County Courthouse is believed to be 305 Public Square, Franklin, TN 37064. (It is within walking distance of the County Judicial Center found at 135 4<sup>th</sup> Avenue South, Franklin, TN 37064.)

17. In attendance at this hearing were Chancellor Michael Weimar Binkley, opposing Counsel Attorney Virginia Lee Story, and myself, Jeffrey Ryan Fenton.

18. I represented myself *pro se* as of the start of this hearing, because I could no longer afford legal counsel after my home was ordered to be auctioned during my very first hearing in docket #48419B, prior to the start of discovery.

19. At the beginning of this hearing Chancellor Binkley exited the Court Room and procured the services of Emily L. Sipe, RPR, LCR, Tennessee LCR No. 608, with Harpeth Court Reporters for the purpose of recording our hearing.

20. After which I requested to hire her, and Attorney Story agreed to split the per diem

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<sup>3</sup> <https://rico.jefffenton.com/evidence/fenton-declaration-of-disabilities.pdf>



with me for her services.

21. Chancellor Binkley put his arrangement on the record at the top of the transcripts, stating: *“I want that to be in the Order because it's best that we put everything in the Order. This gentleman, he's going to share and pay one half of the per diem plus any expenses that he may incur as a result of asking for all or a portion of the transcript that will be ordered by him.”*

22. I also asked Chancellor Binkley for his permission to allow me to record the audio from that hearing, with a voice recorder I had brought with me. Chancellor Binkley openly approved in court, prior to me turning the device on. After which it continued to record the entire hearing, uninterrupted.

23. My mother and I meticulously and repeatedly compared the official transcripts of evidence prepared by licensed court reporter Emily L. Sipe, RPR, LCR, Tennessee LCR No. 608, with the audio recording from that same hearing, recorded with the permission of Judge Michael Weimar Binkley.

24. My mother and I carefully synchronized the audio recording with the written transcript, by writing the timestamps from the audio to the left of each new paragraph in the transcript (except when extremely short).

25. We methodically did this throughout the roughly 30-minute-long hearing.

26. This transcript consists of 25-typed pages, not counting the index.

27. My mother and I also made very minor language and grammatical corrections to Ms. Sipe's typed transcripts (to match what was said, having the exact audio clearly recorded, by which to verify it).

28. To easily differentiate the certified original transcripts from any corrections or timestamps which we made on the documents, we performed our work by hand, using bold red ink.

29. No pages or original text was removed, deleted, covered-up, or made illegible.

30. Beyond what is clearly recognizable, notated with red ink, using manual handwriting (instead of by any digital or typed process), I hereby provide my sworn declaration and oath, under the penalty of perjury, that no other modification<sup>4</sup>, addition, or subtraction was executed upon this certified original transcript<sup>5</sup> of evidence from this 8/29/2019 hearing in Williamson County Chancery Court.

31. Similarly, audio recording “2019-08-29\_chancery-hearing-audio-recording.mp3”, is the original, authentic, true verbatim audio recording<sup>6</sup>, of the same August 29, 2019 hearing in Williamson County Chancery Court.

32. This recording was performed with the permission of Chancellor Michael Weimar Binkley, granted immediately prior to starting my recording device.

33. This audio recording was created in good faith, and has been retained in its entirety, as is evidenced by the content matching nearly perfectly with the certified original transcript of evidence, recorded by licensed Tennessee court reporter, Emily L. Sipe, RPR, LCR No. 608.

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<sup>4</sup> Publishing exceptions: I've added a footer throughout showing the document and case information, as well as the URL to where both the written transcript and the audio recording can be found online. I've also redacted my ex-wife's middle name for her privacy.

This declaration has also been appended to the transcript for simplicity, authentication, and ease of use.

Documentation regarding the violations of law, the federal rules, and the rules of professional conduct may also be added.

<sup>5</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)

<sup>6</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)

Initials: 

34. I believe that this audio recording is necessary to establish, determine, and prove the context, tone, respect, abuse, forcefulness, harassment, manner, concern, coercion, and care shown by defendants Binkley and Story during this critical hearing.

35. I do not believe that the above characteristics can be accurately determined and gauged by reading the typed transcripts alone, without hearing the actual words spoken.

36. I believe that the evidentiary value of this audio recording, increases the evidentiary value of the certified original transcript of evidence<sup>7</sup>.

37. I conversely believe that the evidentiary value of the certified original transcript<sup>8</sup> of evidence, validates and increases the evidentiary value of this audio recording.<sup>9</sup>

38. On information and belief, I believe that it is self-evident that through cross-referencing and examination, that both this transcript of evidence combined with this audio recording from the same hearing, provide a far more comprehensive, complete, and accurate record of evidence from this hearing.

39. On information and belief, the conduct of the court and counsel during this one hearing is one of the most critical pieces of evidence I have for demonstrating the excessive foul-play between defendants Binkley and Story.

40. The only editing performed on this audio recording was to remove noise while attempting to balance and clarify our voices. The metadata was also populated to provide

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<sup>7</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)

<sup>8</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-transcript-audio-markers.pdf](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf)

<sup>9</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)



contextual information.

41. I Jeffrey Ryan Fenton hereby provide my sworn declaration and oath, under the penalty of perjury, that this audio recording has not been added to, subtracted from, or modified in any way to change the factual contents of the testimony given in court on 8/29/2019.

42. I further certify and swear that this audio recording<sup>10</sup> is an authentic, true, and complete audio recording of my hearing in Williamson County Chancery Court on 8/29/2019.

43. On information and belief, this audio evidence, when tested and verified against the true facts of the matters herein, the supreme law of the land, the judicial canons, the federal rules, the State of Tennessee's Rules of both Judicial and Professional Conduct, the record to date in docket #48419B, and the claims, demands, and orders by defendants Story and Binkley herein, prove that significant criminal misconduct was performed during this hearing by defendants Story and Binkley. At the same time a level of bias and collusion were demonstrated by defendant Binkley which clearly exceeded any tolerable threshold, by which defendant Binkley was stripped of all lawful authority prior to any valid orders being issued by this court.

44. Because defendant Binkley refused to recuse himself despite his obvious bias against me and his unlawful and even unethical actions in favor of defendant Story and her client, not only was every order of this court without lawful jurisdiction and authority due to him having been automatically disqualified by 455(a), but the lawless demands by defendant Story and the lawless orders by defendant Binkley were performed without legal authority and are in fact void.

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<sup>10</sup> [https://rico.jefffenton.com/evidence/2019-08-29\\_chancery-hearing-audio-recording.mp3](https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3)



45. Said orders constituted felony crimes committed against me, my life, my property, and my person, by defendants Binkley and Story, under the color of law, office, and official right, though wholly repugnant of the law.

46. On page-6, lines 20-23 of this transcript of evidence, defendant Story stated, *“So if you let him take anything out at this point it's going to be sold and he's dissipating marital assets, which would be in violation of the restraining order.”* **This is a bold face lie.**

47. On page-2, section IV of attorney Story's divorce complaint filed in #48419B, it states, *“Plaintiff would show that the parties have no assets other than personal property which has been divided with the exception of a few items. Husband and Wife have lived separately since April 2018.”*

**IV.**

Plaintiff would show that the parties have no assets other than personal property which has been divided with the exception of a few items. Husband and Wife have lived separately since April 2018.

*Husband refused to work and has not paid the mortgage payment as required with the mortgage payment in the bills of the house. Wife has spoken to Husband and made every attempt to have the house sold.*

**Wife's Complaint for Divorce, Page 2, Section IV  
Case 1:23-cv-01097-PLM-RSK, ECF 1-17, PageID.648**

48. Hence the claim that I was “dissipating marital assets” wasn't even physically possible in any meaningful capacity.

49. In the previous court order from the 8/1/2019 hearing, while I had the benefit of counsel, before I was financially forced to represent myself pro se in this court, the order of the court from the 8/1/2019 hearing stated in part, *“Husband will take such actions as necessary to*

*move items of personal property that he would like to retain and tag, price or do whatever steps are necessary to sell the remaining items of personal property. The remaining items at the house that Husband does not take and Wife does not take shall be sold at auction.”*

50. I did no more or less than I was allowed to per the express order of the court from the 8/1/2019 hearing by defendants Story and Binkley.

51. Yet I was chastised, harassed, and harshly punished under the false, fraudulent, and substantially impossible claims by defendant Story, *“So if you let him take anything out at this point it's going to be sold and he's dissipating marital assets, which would be in violation of the restraining order.”*

52. This was the clear crime of **“obstruction of justice”**, while I have evidence from both before and after that hearing, which clearly prove that Attorney Story was well aware that her claims were false. She intentionally “cried wolf”, with deceptive claims, for the specific purpose of having my wrongfully evicted from my home, and subsequently the State of Tennessee.

53. On information and belief, I believe that in this intentionally obstructive act by defendant Story, she committed both State and Federal felony crimes against me, while she also violated a multitude the State of Tennessee’s Rules of Professional Conduct.

54. On information and belief, I believe that defendant Story committed at least the following violations of Professional Conduct, by exerting these fraudulent claims:

Tenn. R. Sup. Ct. 8.4 – Misconduct:

- It is professional misconduct for a lawyer to:

- (c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation;
- (d) engage in conduct that is prejudicial to the administration of justice;

Tenn. R. Sup. Ct. 3.5 – Impartiality and Decorum of The Tribunal

- A lawyer shall not:
- (e) engage in conduct intended to disrupt a tribunal.

Tenn. R. Sup. Ct. 3.4 – Fairness to Opposing Party and Counsel

- A lawyer shall not:
- (e) in trial,
  - (1) allude to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence; or
  - (2) assert personal knowledge of facts in issue except when testifying as a witness; or
  - (3) state a personal opinion as to the justness of a cause, the credibility of a witness, the culpability of a civil litigant or the guilt or innocence of an accused; or
- (g) request or assist any person **to take action that will render the person unavailable to appear** as a witness by way of deposition or at trial

55. During the 8/1/2019 hearing, the Court and Counsel evicted my tenants, who paid me \$1,400 per month in rents.

56. My rental income was my only stream of income<sup>11</sup>, at that moment and time, due to the secret betrayal by my ex-wife and her counsel without lawful or ethical notice.

57. On information and belief, the result of my 8/1/2019 hearing was the court ordered auction of my marital residence, with no minimums.

58. On information and belief, the court knew that I was not employed at that moment, nor was I capable of immediately obtaining employment due to my disabilities combined with defendant Story's aggressive litigation. The changes which were being forced upon me during that month and a half demanded all of my attention to simply survive while trying not to lose more of my life, my freedom, or my property than was required by the circumstances and parties involved.

59. On information and belief, the events which took place and the testimony that was recorded during this 8/29/2019 hearing, are of critical value and consequence to my life and liberty, in my pursuit for justice without discrimination or bias.

60. None of this has been provided for any improper purpose.

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<sup>11</sup> [https://rico.jefffenton.com/evidence/2019-03-26\\_fenton-sunnyside-roommate-lease-merriman.pdf](https://rico.jefffenton.com/evidence/2019-03-26_fenton-sunnyside-roommate-lease-merriman.pdf)  
[https://rico.jefffenton.com/evidence/2019-04-09\\_fenton-sunnyside-roommate-lease-garcia.pdf](https://rico.jefffenton.com/evidence/2019-04-09_fenton-sunnyside-roommate-lease-garcia.pdf)



**DECLARATION**

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct, except as to matters herein stated to be on information and belief, and as to such matters, I certify as aforesaid that I verily believe the same to be true.

Executed on January 10, 2024



**JEFFREY RYAN FENTON**

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FENTON, MI, 48430-3426

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A list of all my published declarations of fact and testimony can be found online at:  
<https://rico.jefffenton.com/evidence/fenton-list-of-declarations-to-date.pdf>

**1**

## Tenn. R. Sup. Ct. 2.11

### Rule 2.11 - Disqualification

**(A)** A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:

**(1)** The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

**(2)** The judge knows that the judge, the judge's spouse or domestic partner, or a person within the third degree of relationship to either of them, or the spouse or domestic partner of such a person is:

**(a)** a party to the proceeding, or an officer, director, general partner, managing member, or trustee of a party;

**(b)** acting as a lawyer in the proceeding;

**(c)** a person who has more than a de minimis interest that could be substantially affected by the proceeding; or

**(d)** likely to be a material witness in the proceeding.

**(3)** The judge knows that he or she, individually or as a fiduciary, or the judge's spouse, domestic partner, parent, or child, or any other member of the judge's family residing in the judge's household, has an economic interest in the subject matter in controversy or is a party to the proceeding.

**(4)** The judge knows or learns by means of a timely motion that a party, a party's lawyer, or the law firm of a party's lawyer has made contributions or given such support to the judge's campaign that the judge's impartiality might reasonably be questioned.

**(5)** The judge, while a judge or a judicial candidate, has made a public statement, other than in a court proceeding, judicial decision, or opinion, that commits or appears to commit the judge to reach a particular result or rule in a particular way in the proceeding or controversy.

**(6)** The judge:

**(a)** served as a lawyer in the matter in controversy, or was associated with a lawyer who participated substantially as a lawyer in the matter during such association;

**(b)** served in governmental employment, and in such capacity participated personally and substantially as a lawyer or public official concerning the proceeding, or has publicly expressed in such capacity an opinion concerning the merits of the particular matter in controversy;

**(c)** was a material witness concerning the matter;

(d) previously presided as a judge over the matter in an inferior court; or

(e) previously participated in a judicial settlement conference in the matter. Prior participation in a judicial settlement conference does not prohibit the judge from disposing of any uncontested issues in the matter.

**(B)** A judge shall keep informed about the judge's personal and fiduciary economic interests, and make a reasonable effort to keep informed about the personal economic interests of the judge's spouse or domestic partner and minor children residing in the judge's household.

**(C)** A judge subject to disqualification under this Rule, other than for bias or prejudice under paragraph (A)(1) or for participation in a judicial settlement conference under paragraph (A)(6)(e), may disclose on the record the basis of the judge's disqualification and may ask the parties and their lawyers to consider, outside the presence of the judge and court personnel, whether to waive disqualification. If, following the disclosure, the parties and lawyers agree, without participation by the judge or court personnel, that the judge should not be disqualified, the judge may participate in the proceeding. The agreement shall be incorporated into the record of the proceeding.

**(D)** Upon the making of a motion seeking disqualification, recusal, or a determination of constitutional or statutory incompetence, a judge shall act promptly by written order and either grant or deny the motion. If the motion is denied, the judge shall state in writing the grounds upon which he or she denies the motion.

*Tenn. R. Sup. Ct. 2.11*

**Comment**

*[1] Under this Rule, a judge is disqualified whenever the judge's impartiality might reasonably be questioned, regardless of whether any of the specific provisions of paragraphs (A)(1) through (6) apply. In many jurisdictions, the term "recusal" is used interchangeably with the term "disqualification."*

*[2] A judge is obligated not to hear or decide matters in which disqualification is required, even though a motion to disqualify is not filed.*

*[3] The rule of necessity may override the rule of disqualification. For example, a judge might be required to participate in judicial review of a judicial salary statute, or might be the only judge available in a matter requiring immediate judicial action, such as a hearing on probable cause or a temporary restraining order. In matters that require immediate action, the judge must disclose on the record the basis for possible disqualification and make reasonable efforts to transfer the matter to another judge as soon as practicable.*

*[4] The fact that a lawyer in a proceeding is affiliated with a law firm with which a relative of the judge is affiliated does not itself disqualify the judge. If, however, the judge's impartiality might reasonably be questioned under paragraph (A), or the relative is known by the judge to have an interest in the law firm that could be substantially affected by the proceeding under paragraph (A)(2)(c), the judge's disqualification is required.*

*[5] A judge should disclose on the record information that the judge believes the parties or their lawyers might reasonably consider relevant to a possible motion for disqualification, even if the judge believes there is no basis for disqualification.*



[6] "Economic interest," as set forth in the Terminology section, means ownership of more than a de minimis legal or equitable interest. Except for situations in which a judge participates in the management of such a legal or equitable interest, or the interest could be substantially affected by the outcome of a proceeding before a judge, it does not include:

(1) an interest in the individual holdings within a mutual or common investment fund;

(2) an interest in securities held by an educational, religious, charitable, fraternal, or civic organization in which the judge or the judge's spouse, domestic partner, parent, or child serves as a director, officer, advisor, or other participant;

(3) a deposit in a financial institution or deposits or proprietary interests the judge may maintain as a member of a mutual savings association or credit union, or similar proprietary interests; or

(4) an interest in the issuer of government securities held by the judge.

[7] The fact that a lawyer in a proceeding, or a litigant, contributed to the judge's campaign, or supported the judge in his or her election does not of itself disqualify the judge. Absent other facts, campaign contributions within the limits of the "Campaign Contributions Limits Act of 1995," Tennessee Code Annotated Title 2, Chapter 10, Part 3, or similar law should not result in disqualification. However, campaign contributions or support a judicial candidate receives may give rise to disqualification if the judge's impartiality might reasonably be questioned. In determining whether a judge's impartiality might reasonably be questioned for this reason, a judge should consider the following factors among others:

(1) The level of support or contributions given, directly or indirectly, by a litigant in relation both to aggregate support (direct and indirect) for the individual judge's campaign and to the total amount spent by all candidates for that judgeship;

(2) If the support is monetary, whether any distinction between direct contributions or independent expenditures bears on the disqualification question;

(3) The timing of the support or contributions in relation to the case for which disqualification is sought; and

(4) If the supporter or contributor is not a litigant, the relationship, if any, between the supporter or contributor and (i) any of the litigants, (ii) the issue before the court, (iii) the judicial candidate or opponent, and (iv) the total support received by the judicial candidate or opponent and the total support received by all candidates for that judgeship.

[8] Trial judges sometimes sit by designation on courts of appeal, and vice versa. Such judges should not hear cases over which they presided in a different court, and paragraph A(6)(d) makes that clear. This Rule, however, applies only to judges who have heard the case in "an inferior court," and does not apply to a judge who decided a case on a panel of an appellate court subsequently participating in the rehearing of the case en banc with that same court.

[9] There are several bases upon which a judge should determine whether to preside over a case. These include this Rule, Tennessee Constitution Article VI, Section 11 (incompetence) and Tenn. Code Ann. Title 17, Chapter 2 (incompetence, disability and interchange). This Rule requires judges to employ constitutional, statutory and procedural rules to determine motions for issues related to whether the judge should preside over a case. For example, Tenn. Sup. Ct. R. 10B governs the filing and disposition of motions for disqualification or recusal, as well as appeals from the denial of such motions.

*[10] In rare instances, a motion for recusal might seek the recusal of all judges sitting as a multi-judge court (i.e., an intermediate appellate court or the Supreme Court). Paragraph (A) of this Rule provides that "[a] judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned[.]" Also, the specific grounds for disqualification listed in this Rule necessarily apply to individual judges. For both reasons, a motion seeking to recuse all members of a multi-judge court must be treated as an individual motion as to each judge of the court; each judge therefore must rule upon the motion as to the alleged grounds pertaining to that individual judge.*

*[11] In courts not of record, such as general sessions and municipal courts, a written notation on the judgment, warrant, citation or other pleading before the court is sufficient to meet the requirements in paragraph (D) that the judge file a "written order" and, if denying the motion, that "the judge shall state in writing the grounds upon which he or she denies the motion." In those courts, no separate order regarding the motion need be filed by the judge.*

*Rule 2.12*



## 28 U.S.C. § 455

### Section 455 - Disqualification of justice, judge, or magistrate judge

**(a)** Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.

**(b)** He shall also disqualify himself in the following circumstances:

**(1)** Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

**(2)** Where in private practice he served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it;

**(3)** Where he has served in governmental employment and in such capacity participated as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy;

**(4)** He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding;

**(5)** He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:

**(i)** Is a party to the proceeding, or an officer, director, or trustee of a party;

**(ii)** Is acting as a lawyer in the proceeding;

**(iii)** Is known by the judge to have an interest that could be substantially affected by the outcome of the proceeding;

**(iv)** Is to the judge's knowledge likely to be a material witness in the proceeding.

**(c)** A judge should inform himself about his personal and fiduciary financial interests, and make a reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household.

**(d)** For the purposes of this section the following words or phrases shall have the meaning indicated:

**(1)** "proceeding" includes pretrial, trial, appellate review, or other stages of litigation;

**(2)** the degree of relationship is calculated according to the civil law system;

**(3)** "fiduciary" includes such relationships as executor, administrator, trustee, and guardian;

(4) "financial interest" means ownership of a legal or equitable interest, however small, or a relationship as director, adviser, or other active participant in the affairs of a party, except that:

(i) Ownership in a mutual or common investment fund that holds securities is not a "financial interest" in such securities unless the judge participates in the management of the fund;

(ii) An office in an educational, religious, charitable, fraternal, or civic organization is not a "financial interest" in securities held by the organization;

(iii) The proprietary interest of a policyholder in a mutual insurance company, of a depositor in a mutual savings association, or a similar proprietary interest, is a "financial interest" in the organization only if the outcome of the proceeding could substantially affect the value of the interest;

(iv) Ownership of government securities is a "financial interest" in the issuer only if the outcome of the proceeding could substantially affect the value of the securities.

(e) No justice, judge, or magistrate judge shall accept from the parties to the proceeding a waiver of any ground for disqualification enumerated in subsection (b). Where the ground for disqualification arises only under subsection (a), waiver may be accepted provided it is preceded by a full disclosure on the record of the basis for disqualification.

(f) Notwithstanding the preceding provisions of this section, if any justice, judge, magistrate judge, or bankruptcy judge to whom a matter has been assigned would be disqualified, after substantial judicial time has been devoted to the matter, because of the appearance or discovery, after the matter was assigned to him or her, that he or she individually or as a fiduciary, or his or her spouse or minor child residing in his or her household, has a financial interest in a party (other than an interest that could be substantially affected by the outcome), disqualification is not required if the justice, judge, magistrate judge, bankruptcy judge, spouse or minor child, as the case may be, divests himself or herself of the interest that provides the grounds for the disqualification.

28 U.S.C. § 455

June 25, 1948, ch. 646, 62 Stat. 908; Pub. L. 93-512, §1, Dec. 5, 1974, 88 Stat. 1609; Pub. L. 95-598, title II, §214(a), (b), Nov. 6, 1978, 92 Stat. 2661; Pub. L. 100-702, title X, §1007, Nov. 19, 1988, 102 Stat. 4667; Pub. L. 101-650, title III, §321, Dec. 1, 1990, 104 Stat. 5117.

*HISTORICAL AND REVISION NOTES*Based on title 28, U.S.C., 1940 ed., §24 (Mar. 3, 1911, ch. 231, §20, 36 Stat. 1090).Section 24 of title 28, U.S.C., 1940 ed., applied only to district judges. The revised section is made applicable to all justices and judges of the United States.The phrase "in which he has a substantial interest" was substituted for "concerned in interest in any suit."The provision of section 24 of title 28, U.S.C., 1940 ed., as to giving notice of disqualification to the "senior circuit judge," and words "and thereupon such proceedings shall be had as are provided in sections 17 and 18 of this title," were omitted as unnecessary and covered by section 291 et seq. of this title relating to designation and assignment of judges. Such provision is not made by statute in case of disqualification or incapacity, for other cause. See sections 140, 143, and 144 of this title. If a judge or clerk of court is remiss in failing to notify the chief judge of the district or circuit, the judicial council of the circuit has ample power under section 332 of this title to apply a remedy.Relationship to a party's attorney is



*included in the revised section as a basis of disqualification in conformity with the views of judges cognizant of the grave possibility of undesirable consequences resulting from a less inclusive rule. Changes were made in phraseology.*

**EDITORIAL NOTES**

**AMENDMENTS**1988-Subsec. (f). Pub. L. 100-702 added subsec. (f). 1978- Pub. L. 95-598 struck out references to referees in bankruptcy in section catchline and in subsecs. (a) and (e). 1974- Pub. L. 93-512 substituted "Disqualification of justice, judge, magistrate, or referee in bankruptcy" for "Interest of justice or judge" in section catchline, reorganized structure of provisions, and expanded applicability to include magistrates and referees in bankruptcy and grounds for which disqualification may be based, and inserted provisions relating to waiver of disqualification.

**STATUTORY NOTES AND RELATED SUBSIDIARIES**

**CHANGE OF NAME**Words "magistrate judge" substituted for "magistrate" in section catchline and wherever appearing in subsecs. (a), (e), and (f) pursuant to section 321 of Pub. L. 101-650 set out as a note under section 631 of this title.

**EFFECTIVE DATE OF 1978 AMENDMENT** Amendment by Pub. L. 95-598 effective Oct. 1, 1979, see section 402(c) of Pub. L. 95-598 set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy. For procedures relating to Bankruptcy matters during transition period see note preceding section 151 of this title.

**EFFECTIVE DATE OF 1974 AMENDMENT**Pub. L. 93-512, §3, Dec. 5, 1974, 88 Stat. 1610, provided that: "This Act [amending this section] shall not apply to the trial of any proceeding commenced prior to the date of this Act [Dec. 5, 1974], nor to appellate review of any proceeding which was fully submitted to the reviewing court prior to the date of this Act."

## Tenn. R. Sup. Ct. 8.4

### Rule 8.4 - MISCONDUCT

It is professional misconduct for a lawyer to:

- (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects;
- (c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation;
- (d) engage in conduct that is prejudicial to the administration of justice;
- (e) state or imply an ability to influence a tribunal or a governmental agency or official on grounds unrelated to the merits of, or the procedures governing, the matter under consideration;
- (f) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law; or
- (g) knowingly fail to comply with a final court order entered in a proceeding in which the lawyer is a party, unless the lawyer is unable to comply with the order or is seeking in good faith to determine the validity, scope, meaning, or application of the law upon which the order is based.

*Tenn. R. Sup. Ct. 8.4*

#### **Comment**

[1] Lawyers are subject to discipline when they violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another, as when they request or instruct an agent to do so on the lawyer's behalf. Paragraph (a), however, does not prohibit a lawyer from advising a client concerning action the client is legally entitled to take.

[2] Many kinds of illegal conduct reflect adversely on fitness to practice law, such as offenses involving fraud and the offense of willful failure to file an income tax return. However, some kinds of offenses carry no such implication. Traditionally, the distinction was drawn in terms of offenses involving "moral turpitude." That concept can be construed to include offenses concerning some matters of personal morality, such as adultery and comparable offenses, that have no specific connection to fitness for the practice of law. Although a lawyer is personally answerable to the entire criminal law, a lawyer should be professionally answerable only for offenses that indicate lack of those characteristics relevant to law practice. Offenses involving violence, dishonesty, breach of trust, or serious interference with the administration of justice are in that category. Although under certain circumstances a single offense reflecting adversely on a lawyer's fitness to practice - such as a minor assault - may not be sufficiently serious to warrant discipline, a pattern of repeated offenses, even ones that are of minor significance when considered separately, can indicate indifference to legal obligation.

[3] A lawyer who, in the course of representing a client, knowingly manifests, by words or conduct, bias or prejudice based on race, sex, religion, national origin, disability, age, sexual orientation, or socio-economic status violates paragraph (d) when such actions are prejudicial to the administration of justice. Legitimate advocacy respecting the foregoing factors does not violate paragraph (d).

*[4] A lawyer may refuse to comply with an obligation imposed by law upon a good faith belief that no valid obligation exists. The provisions of RPC 1.2(d) concerning a good faith challenge to the validity, scope, meaning, or application of the law apply to challenges of legal regulation of the practice of law.*

*[5] Paragraph (c) prohibits lawyers from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation. Such conduct reflects adversely on the lawyer's fitness to practice law. In some circumstances, however, prosecutors are authorized by law to use, or to direct investigative agents to use, investigative techniques that might be regarded as deceitful. This Rule does not prohibit such conduct.*

*[6] The lawful secret or surreptitious recording of a conversation or the actions of another for the purpose of obtaining or preserving evidence does not, by itself, constitute conduct involving deceit or dishonesty. See RPC 4.4.*

*[7] Lawyers holding public office assume legal responsibilities going beyond those of other citizens. A lawyer's abuse of public office can suggest an inability to fulfill the professional role of lawyers. The same is true of abuse of positions of private trust such as trustee, executor, administrator, guardian, agent and officer, director, or manager of a corporation or other organization.*

*[8] Paragraph (f) precludes a lawyer from assisting a judge or judicial officer in conduct that is a violation of the rules of judicial conduct. A lawyer cannot, for example, make a gift, bequest, favor, or loan to a judge, or a member of the judge's family who resides in the judge's household, unless the judge would be permitted to accept, or acquiesce in the acceptance of such a gift, favor, bequest, or loan in accordance with RJC 3.13 of the Code of Judicial Conduct.*

*[9] In both their professional and personal activities, lawyers have special obligations to demonstrate respect for the law and legal institutions. Normally, a lawyer who knowingly fails to obey a court order demonstrates disrespect for the law that is prejudicial to the administration of justice. Failure to comply with a court order is not a disciplinary offense, however, when it does not evidence disrespect for the law either because the lawyer is unable to comply with the order or the lawyer is seeking in good faith to determine the validity, scope, meaning, or application of the law upon which the order is based.*

*DEFINITIONAL CROSS-REFERENCES "Fraud" See RPC 1.0(d) "Knowingly" See RPC 1.0(f) "Tribunal" See RPC 1.0(m)*



## Tenn. R. Sup. Ct. 3.5

### Rule 3.5 - Impartiality and Decorum of The Tribunal

#### A lawyer shall not:

- (a) seek to influence a judge, juror, prospective juror, or other official by means prohibited by law;
- (b) communicate ex parte with such a person during the proceeding unless authorized to do so by law or court order;
- (c) communicate with a juror or prospective juror after discharge of the jury if:
  - (1) the communication is prohibited by law or court order;
  - (2) the juror has made known to the lawyer a desire not to communicate; or
  - (3) the communication involves misrepresentation, coercion, duress, or harassment;
- (d) conduct a vexatious or harassing investigation of a juror or prospective juror; or
- (e) engage in conduct intended to disrupt a tribunal.

*Tenn. R. Sup. Ct. 3.5*

#### *Comment*

[1] Many forms of improper influence upon a tribunal are proscribed by criminal law. Others are specified in the Tennessee Code of Judicial Conduct, with which an advocate should be familiar. A lawyer is required to avoid contributing to a violation of such provisions. For example, a lawyer shall not give or lend anything of value to a judge, judicial officer, or employee of a tribunal, except as permitted by RJC 3.13 of the Code of Judicial Conduct. A lawyer, however, may make a contribution to the campaign fund of a candidate for judicial office in conformity with RJC 4.4 of the Code of Judicial Conduct.

[2] During a proceeding a lawyer may not communicate ex parte with persons serving in an official capacity in the proceeding, such as judges, masters or jurors, unless authorized to do so by law or court order. Unless such a communication is otherwise prohibited by law or court order, paragraph (b) of this Rule would not prohibit a lawyer from communicating with a judge on the merits of the cause in writing if the lawyer promptly delivers a copy of the writing to opposing counsel and to parties who are not represented by counsel because that would not be an ex parte communication.

[3] Paragraph (b) also does not prohibit a lawyer from communicating with a judge in an ex parte hearing to establish the absence of a conflict of interest under RPC 1.7(c). In such proceedings, the lawyer is of course bound by the duty of candor in RPC 3.3(a)(3).

[4] A lawyer may on occasion want to communicate with a juror or prospective juror after the jury has been discharged. The lawyer may do so unless the communication is prohibited by law or a court order entered in the case or by a federal court rule, but must respect the desire of the juror not to talk with the lawyer. The lawyer may not engage in improper conduct during the communication. As the Court stated in *State v. Thomas*, 813 S.W. 2d. 395 (Tenn. 1991): "After the trial, communication by a lawyer with jurors is permitted so long as he [or she] refrains from asking questions or making comments that tend to harass or embarrass the juror or to influence actions of the juror in future cases. Were a lawyer to be prohibited from communicating after trial with a juror, he [or she] could



*not ascertain if the verdict might be subject to legal challenge, in which event the invalidity of a verdict might go undetected." Id. (quoting Tenn. Sup. Ct. R. 8, EC 7-291 ). The Court went on to state in Thomas that "Rule 8 therefore allows post-trial interviews by Counsel with jurors on these matters without the prior approval of the trial court." Id. at 396. Although the Court's analysis in Thomas was based on an earlier version of Rule 8 (i.e., the Code of Professional Responsibility), the foregoing principles quoted from Thomas remain valid in the context of RPC 3.5.*

*[4a] A communication with, or an investigation of, the spouse, child, parent, or sibling of a juror or prospective juror will be deemed a communication with or an investigation of the juror or prospective juror.*

*[5] The advocate's function is to present evidence and argument so that the cause may be decided according to law. Refraining from abusive or obstreperous conduct is a corollary of the advocate's right to speak on behalf of litigants. A lawyer may stand firm against abuse by a judge, but should avoid reciprocation; the judge's default is no justification for similar dereliction by an advocate. An advocate can present the cause, protect the record for subsequent review, and preserve professional integrity by patient firmness no less effectively than by belligerence or theatrics.*

*[6] The duty to refrain from disruptive conduct applies to any proceeding of a tribunal, including a deposition. See RPC 1.0(m).*

*DEFINITIONAL CROSS-REFERENCES "Known" See RPC 1.0(f) "Tribunal" See RPC 1.0(m)*

## Tenn. R. Sup. Ct. 3.4

### Rule 3.4 - Fairness to Opposing Party and Counsel

#### A lawyer shall not:

- (a) unlawfully obstruct another party's access to evidence or unlawfully alter, destroy, or conceal a document or other material having potential evidentiary value. A lawyer shall not counsel or assist another person to do any such act; or
- (b) falsify evidence, counsel or assist a witness to offer false or misleading testimony; or
- (c) knowingly disobey an obligation under the rules of a tribunal, except for an open refusal based on an assertion that no valid obligation exists; or
- (d) in pretrial procedure, make a frivolous discovery request or fail to make a reasonably diligent effort to comply with a legally proper discovery request by an opposing party; or
- (e) in trial,
  - (1) allude to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence; or
  - (2) assert personal knowledge of facts in issue except when testifying as a witness; or
  - (3) state a personal opinion as to the justness of a cause, the credibility of a witness, the culpability of a civil litigant or the guilt or innocence of an accused; or
- (f) request a person other than a client to refrain from voluntarily giving relevant information to another party unless:
  - (1) the person is a relative or an employee or other agent of a client; and
  - (2) the lawyer reasonably believes that the person's interests will not be adversely affected by refraining from giving such information; or
- (g) request or assist any person to take action that will render the person unavailable to appear as a witness by way of deposition or at trial; or
- (h) offer an inducement to a witness that is prohibited by law; or pay, offer to pay, or acquiesce in the payment of compensation to a witness contingent on the content of his or her testimony or the outcome of the case. A lawyer may advance, guarantee, or acquiesce in the payment of:
  - (1) expenses reasonably incurred by a witness in attending or testifying;
  - (2) reasonable compensation to a witness for that witness's loss of time in attending or testifying; or
  - (3) a reasonable fee for the professional services of an expert witness.

*Tenn. R. Sup. Ct. 3.4*

*Comment*

*[1] The procedure of the adversary system contemplates that the evidence in a case is to be marshaled competitively by the contending parties. Fair competition in the adversary system is secured by prohibitions against destruction or concealment of evidence, improperly influencing witnesses, obstructive tactics in discovery procedure, and the like.*

*[2] Documents and other items of evidence are often essential to establish a claim or defense. Subject to evidentiary privileges, the right of an opposing party, including the government, to obtain evidence through discovery or subpoena is an important procedural right. The exercise of that right can be frustrated if relevant material is altered, concealed, or destroyed. Applicable law in many jurisdictions makes it an offense to destroy material for the purpose of impairing its availability in a pending proceeding or one whose commencement can be foreseen. Falsifying evidence is also generally a criminal offense. Paragraph (a) applies to evidentiary material generally, including computerized information. Applicable law may permit a lawyer to take temporary possession of physical evidence of client crimes for the purpose of conducting a limited examination that will not alter or destroy material characteristics of the evidence. In such a case, applicable law may require the lawyer to turn the evidence over to the police or other prosecuting authority, depending on the circumstances.*

*[3] Although paragraph (f) broadly prohibits lawyers from taking extrajudicial action to impede informal fact-gathering, it does permit the lawyer to request that the lawyer's client, and relatives, employees, or agents of the client, refrain from voluntarily giving information to another party. This principle follows because such relatives and employees will normally identify their interests with those of the client. See also RPC 4.2.*

*[4] With regard to paragraph (h), it is not improper to pay a witness's expenses or to compensate an expert witness on terms permitted by law. The common law rule in most jurisdictions is that it is improper to pay an occurrence witness any fee for testifying and that it is improper to pay an expert witness a contingent fee.*

*DEFINITIONAL CROSS-REFERENCES "Knowingly" See RPC 1.0(f) "Material" See RPC 1.0(o) "Reasonable" and "reasonably" See RPC 1.0(h) "Reasonably believes" See RPC 1.0(i) "Tribunal" See RPC 1.0(m)*

EXHIBIT #2

2020 FEB 19 PM 1:10

FILED FOR ENTRY

**FAWN [REDACTED] FENTON**

VS

**JEFFREY RYAN FENTON**

Hearing

*August 29, 2019*

**H**

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**445**



UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

**FILED - LN**

January 19, 2024 5:03 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: jlg / SCANNED BY: 8001122

**JEFFREY RYAN FENTON,**

PLAINTIFF

v.

**VIRGINIA LEE STORY ET AL.,**

DEFENDANTS

**CASE NO. 1:23-cv-1097**

**DECLARATION OF IRREFUTABLE PROOF OF A CRIMINAL CONSPIRACY  
SPANNING STATE AND FEDERAL COURTS**

Plaintiff brings this testimony pursuant to 28 U.S. Code § 1746.

I, Jeffrey Ryan Fenton, declare under oath as follows:

I. References in this document to Ms. Fawn Tiffany Fenton are hereinafter “Ms. Fenton”, “wife”, and/or “ex-wife”.

II. No matter what any defendant named in this complaint claims, the evidence of the conspiracy against rights and property, under the color of law, office, and official right, by bad actors working in both State and Federal Courts concurrently, can be definitively proven beyond any “reasonable” margin of “error”, by applying the F.R.B.P., Title-28, Title-11, and Title-18 law,<sup>1</sup> to the below (1) to (8) facts which are irrefutably encapsulated in the Court Records:

<sup>1</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1874-1924

Initials: 

- (1) The date the **bankruptcy**<sup>2</sup> was filed: **4/26/2019**.
- (2) The date the **divorce**<sup>3</sup> was filed: **6/04/2019**.
- (3) I was a titled owner<sup>4</sup> of the marital residence as “**tenancy by the entirety**<sup>5</sup>”. Named on both the property deed<sup>6</sup> and tax records.<sup>7</sup>
- (4) I was **never provided any notice or hearing**<sup>8</sup> by the bankruptcy counsel, the bankruptcy trustee, or by the bankruptcy court, as required in the Federal Rules of Bankruptcy Procedure Rule-7001.<sup>9</sup> As a result, these laws<sup>10</sup> were violated or illegally circumvented: 11 U.S.C. §§ 363<sup>11</sup>, 541<sup>12</sup>, 542<sup>13</sup>, 707<sup>14</sup>, 1203<sup>15</sup>, 1204<sup>16</sup>, 1205<sup>17</sup>, 1206<sup>18</sup>,

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<sup>2</sup> [https://rico.jefffenton.com/evidence/2019-04-26\\_fed-bankruptcy-filing-date-3-19-bk-02693.pdf](https://rico.jefffenton.com/evidence/2019-04-26_fed-bankruptcy-filing-date-3-19-bk-02693.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-8, PageID.74)

<sup>3</sup> [https://rico.jefffenton.com/evidence/2019-06-04\\_tn-chancery-divorce-filing-date-48419b.pdf](https://rico.jefffenton.com/evidence/2019-06-04_tn-chancery-divorce-filing-date-48419b.pdf) (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.651)

<sup>4</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1416-1430

<sup>5</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.541-542

<sup>6</sup> [https://rico.jefffenton.com/evidence/2011-04-29\\_1986-sunnyside-brentwood-tn-deed.pdf](https://rico.jefffenton.com/evidence/2011-04-29_1986-sunnyside-brentwood-tn-deed.pdf)

<sup>7</sup> <https://rico.jefffenton.com/evidence/1986-sunnyside-brentwood-tn-2019-property-taxes.pdf>

<sup>8</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1881

<sup>9</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1898

<sup>10</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1874-1924

<sup>11</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1903-1906

<sup>12</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1908-1912

<sup>13</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1913

<sup>14</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1914

<sup>15</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1915

<sup>16</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1915

<sup>17</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1915-1916

<sup>18</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1916

1207<sup>19</sup>, 1208<sup>20</sup>, 18 U.S.C. §§ 152<sup>21</sup>, 153<sup>22</sup>, 154<sup>23</sup>, 157<sup>24</sup>, 158<sup>25</sup>, 241<sup>26</sup>, 242<sup>27</sup>, 373<sup>28</sup>, 401<sup>29</sup>, 402<sup>30</sup>, 1951<sup>31</sup>, 28 U.S.C. §§ 1334<sup>32</sup>, 1927<sup>33</sup>

(5) The bankruptcy only reaped \$44,079<sup>34</sup> worth of alleged “**bankruptcy relief**” for Ms. Fenton in the end, as shown on the “Chapter 7 Trustee’s Final Account and Distribution Report (TDR)”<sup>35</sup>. It probably cost her twice that in combined legal fees for the action. While forfeiting \$250,000<sup>36</sup> in cash equity, that we had invested into our marital residence, as of the day of the auction. Plus, another \$400,000<sup>37</sup> of appreciation has been lost since.

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<sup>19</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1916

<sup>20</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1916

<sup>21</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1917

<sup>22</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1918

<sup>23</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1918

<sup>24</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1919-1920

<sup>25</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1920

<sup>26</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1922

<sup>27</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1922

<sup>28</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1921

<sup>29</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1921

<sup>30</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1921

<sup>31</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1923

<sup>32</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882

<sup>33</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1893

<sup>34</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.569-576 (After subtracting out defendant Story’s outstanding fees, because without this scam there would be no need for defendant Story or her exorbitant fees.)

<sup>35</sup> <https://rico.jefffenton.com/evidence/2021-01-26-trustees-final-account-and-distribution-report.pdf> (Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1883) (BK Case 3:19-bk-02693, Doc 136, Filed 1/26/2021, Page 1 of 8)

<sup>36</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.501-511

<sup>37</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.485

(6) 11 U.S.C. § 363(h): “Notwithstanding subsection (f) of this section, **the trustee may sell both the estate’s interest**, under subsection (b) or (c) of this section, **and the interest of any co-owner in property** in which the debtor had, at the time of the commencement of the case, an undivided interest as a tenant in common, joint tenant, or **tenant by the entirety, only if— (3) the benefit to the estate** of a sale of such property free of the interests of co-owners **outweighs the detriment, if any, to such co-owners;**” (emphasis added).

- a. The bankruptcy code measures what is a “benefit to the [bankruptcy] estate”, in how much **unsecured debt** a sale could pay off, above and beyond the mortgage notes on that property.
- b. The mortgage notes are secured by the property interest, they can stand alone and balance each other out, and need not be involved in the bankruptcy at all. The only reason to compel a forced sale of the property (in this circumstance), would be to leverage the debtor’s equity in property to pay off **other unsecured debts**, after the mortgages on the property were completely satisfied.
- c. The forced sale of the marital residence was of absolutely “**no benefit to the bankruptcy estate.**” The home auctioned for exactly the amounts owed on the two mortgages, while this came of absolutely no surprise to the defendants, it was by design. The sale proceeds did not pay off one dollar of unsecured debts, nor put a dollar in either my pocket or my ex-wife’s (as far as I know).



Adversary Proceeding in Federal District or Bankruptcy Court

The Trustee was required to provide Plaintiff and his two tenants/roommates with notices & hearings in federal court. Plaintiff had the following valid property interests: legal title, ownership, controlling, possession/enjoyment/use, beneficial, equitable, exclusion, investment, income, future. Plaintiff's tenants had secure one-year leasehold interests.

Rule 7001. Scope of Rules of Part VII

An adversary proceeding is governed by the rules of this Part VII. The following are adversary proceedings:

- (1) a proceeding to recover money or property, other than a proceeding to compel the debtor to deliver property to the trustee, or a proceeding under §554(b) or §725 of the Code, Rule 2017, or Rule 6002;
- (2) a proceeding to determine the validity, priority, or extent of a lien or other interest in property, but not a proceeding under Rule 3012 or Rule 4003(d);
- (3) a proceeding to obtain approval under §363(h) for the sale of both the interest of the estate and of a co-owner in property;
- (4) a proceeding to object to or revoke a discharge, other than an objection to discharge under §§727(a)(8),<sup>1</sup> (a)(9), or 1328(f);
- (5) a proceeding to revoke an order of confirmation of a chapter 11, chapter 12, or chapter 13 plan;
- (6) a proceeding to determine the dischargeability of a debt;
- (7) a proceeding to obtain an injunction or other equitable relief, except when a chapter 9, chapter 11, chapter 12, or chapter 13 plan provides for the relief;
- (8) a proceeding to subordinate any allowed claim or interest, except when a chapter 9, chapter 11, chapter 12, or chapter 13 plan provides for subordination;
- (9) a proceeding to obtain a declaratory judgment relating to any of the foregoing; or
- (10) a proceeding to determine a claim or cause of action removed under 28 U.S.C. §1452.

§ 363. Use, sale, or lease of property **skipped**

(b)(1) The trustee, after notice and a hearing, may use, sell, or lease, other than in the ordinary course of business, property of the estate, trustee may not sell or lease personally identifiable information to any person unless—

(e) Notwithstanding any other provision of this section, at any time, on request of an entity that has an interest in property used, sold, or leased, or proposed to be used, sold, or leased, by the trustee, the court, with or without a hearing, shall prohibit or condition such use, sale, or lease as is necessary to provide adequate protection of such interest. **(skipped)**

(f) The trustee may sell property under subsection (b) or (c) of this section free and clear of any interest in such property of an entity other than the estate, only if—

(1) applicable nonbankruptcy law permits sale of such property free and clear of such interest; **(failed)**

(2) such entity consents; **(failed)**

(g) Notwithstanding subsection (f) of this section, the trustee may sell property under subsection (b) or (c) of this section free and clear of any vested or contingent right in the nature of dower or curtesy.

(h) Notwithstanding subsection (f) of this section, the trustee may sell both the estate's interest, under subsection (b) or (c) of this section, and the interest of any co-owner in property in which the debtor had, at the time of the commencement of the case, an undivided interest as a tenant in common, joint tenant, or tenant by the entirety, only if— **(failed)**

(1) partition in kind of such property among the estate and such co-owners is impracticable;

(2) sale of the estate's undivided interest in such property would realize significantly less for the estate than sale of such property free of the interests of such co-owners;

(3) the benefit to the estate of a sale of such property free of the interests of co-owners outweighs the detriment, if any, to such co-owners; and **(failed)**

Initials: 

d. Even if Ms. Fenton and I had another \$100k-\$200k of equity in the property, it would have been almost impossible for the forced sale to “**outweigh the detriment**” to me.

- I needed this property to survive<sup>38</sup> and not be rendered destitute and homeless. (Roommate/tenant rents were temporarily my only stream of income, due to circumstances unforeseen, beyond my control.)
- This property was the totality of my retirement investments, even those predating this marriage.
- This property was a million-dollar retirement investment, which would easily realize that potential and likely be paid off within the next ten to fifteen years.
- This property was the only realistic means I had to be able to comfortably retire by age seventy.
- This property was the only realistic means I had to rebuild my financial independence while enjoying a comparable standard of living, to that enjoyed during our marriage, as well as that which I had built myself and enjoyed prior to the marriage.
- As long as I could obtain the funds to pay the mortgages on time and keep them current, there is no lawful and ethical justification by which to deprive me of my opportunity and right to do so.

---

<sup>38</sup> [https://rico.jefffenton.com/evidence/2019-03-26\\_fenton-sunnyside-roommate-lease-merriman.pdf](https://rico.jefffenton.com/evidence/2019-03-26_fenton-sunnyside-roommate-lease-merriman.pdf)  
[https://rico.jefffenton.com/evidence/2019-04-09\\_fenton-sunnyside-roommate-lease-garcia.pdf](https://rico.jefffenton.com/evidence/2019-04-09_fenton-sunnyside-roommate-lease-garcia.pdf)

(7) The chancery court usurped—or the bankruptcy court abdicated—jurisdiction<sup>39</sup> over the marital home, in violation of 28 U.S. Code § 1334(e)(1),<sup>40</sup> which states: “The district court in which a case under title 11 is commenced or is pending shall have exclusive jurisdiction—of all the property, wherever located, of the debtor as of the commencement of such case, and of property of the estate.”

(8) It is unreasonable that the bankruptcy court would have waited for any action in chancery court to deprive me of my property interests and rights.

a. There was no action filed in the chancery court at the creation of the bankruptcy estate. The bankruptcy court was required to immediately notify all parties with a legitimate property interest in the marital residence and provide hearings in federal court, to determine their property interests, and whether or not the marital residence could remain in the bankruptcy estate or needed to be removed as a “burdensome asset”, prior to the 341 meeting of the creditors.

b. The bankruptcy was filed 39-days before any action was filed in the chancery court, and 97-days before I first stood before judge Binkley in the chancery court. It is wholly unreasonable that the bankruptcy court awaited any

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<sup>39</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882 (See e.g., *In re Palmer*, 78 B.R. 402, 405-06 (Bankr. E.D.N.Y. 1987))

<sup>40</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882



predetermined deprivation of property in the chancery court, rather than proceeding in proper form in the bankruptcy court, in compliance with bankruptcy rules and federal laws.

III. Since the bankruptcy court had exclusive jurisdiction<sup>41</sup>, even if the time and care was taken for equal and due process in the chancery court (which it was not), the bankruptcy judge and trustee would have known the action was improper and without lawful jurisdiction. They should have performed due diligence.

### DECLARATION

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct, except as to matters herein stated to be on information and belief, and as to such matters, I certify as aforesaid that I verily believe the same to be true.

Executed on January 18, 2024



**JEFFREY RYAN FENTON, PRO SE**

17195 SILVER PARKWAY, #150

FENTON, MI, 48430-3426

JEFF.FENTON@LIVE.COM

(P) 615.837.1300

(F) 810.255.4438

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<sup>41</sup> Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882



**1**

RETIREMENT/PROPERTY INVESTMENT VALUE APPRECIATION AS OF 5/31/2023  
Will Easily Reach \$1,000,000 VALUE within the Next Decade as Planned, while without Interference  
It would have been completely PAID-OFF within that period, with less WORK than I'm doing NOW!  
CAPITAL GAINS TAX does NOT apply for a PRIMARY RESIDENCE, this would have been TAX FREE!



# STATEMENT OF CLAIM

Sign in

Edit Save Share More



4 bd | 3 ba | 2,640 sqft

1986 Sunny Side Dr, Brentwood, TN 37027

Off market Zestimate®: \$884,500 Rent Zestimate®: \$3,999

Est. refi payment: \$5,237/mo Refinance your loan

Home value Owner tools Home details Neighborhood details

## Home value



Zestimate

\$884,500



Zestimate range

\$814,000 - \$973,000



Last 30-day change

+ \$16,116 (+1.9%)



Zestimate per sqft

\$335

Zestimate history & details



6:49 AM 5/31/2023

Now with a Court Judgment, the recovery will be subject to an estimated 37% Tax Rate, placing this at roughly a 1.5 Million Dollar Lifetime Property Loss & Claim. In addition to damages, incidental, consequential, compensatory, loss of consortium, liquidated, loss of use, loss of enjoyment, loss of life, liberty, property & the pursuit of happiness. Plus legal fees, pain & suffering (compounding daily), litigious TORTURE of an ADA Party, since 9/3/2019, until a cure is obtained.





Buy Rent Sell Home Loans Agent finder

Manage Rentals Advertise Help Sign in

18 results

Sunnyside Dr

979K

906K

920K

909K

940K

849K

931K

742K

935K

1.01M

888K

880K

985K

960K

**\$888K**  
4 bd, 3 ba  
2,640 sqft

888K

Map + -

List

Google

Keyboard shortcuts | Map data ©2023 Imagery ©2023 Maxar Technologies, USDA/FPAC/GEO Terms of Use Report a map error


Schools

Draw



**REDFIN** 1-844-759-7732 Buy Sell Mortgage Real Estate Agents Fast Log In Sign Up

Search Overview Public Facts Listing Details Sale & Tax History Schools Neighborhood Similar Homes



Is this your home?  
Claim this home to track its value and nearby sales activity

[I'm the owner](#)

Get a local Redfin Agent's opinion on your home's value and the state of the Brentwood market.

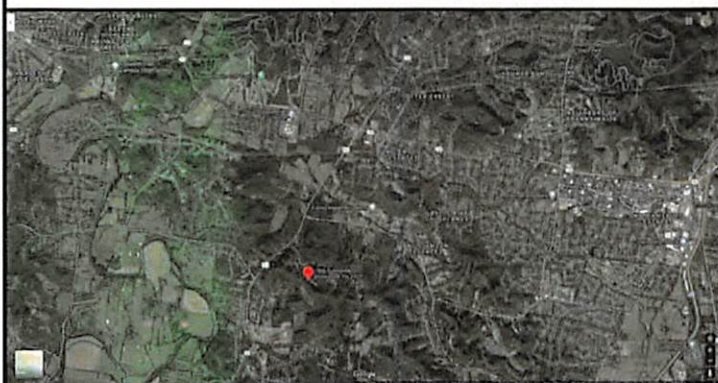
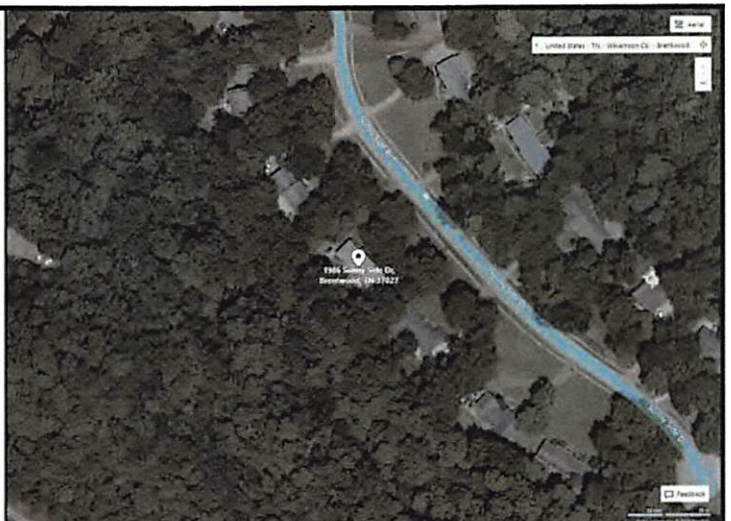
**\$566,000 - \$626,000**

1986 Sunny Side Dr. Brentwood, TN 37027

**\$595,494** 4 2.5 2,640

Off Market  
This home last sold for \$540,000 on Feb 18, 2020.

**LOCATED at the NEXUS of Green Hills, Brentwood, Grassland, Franklin! SURROUNDED BY HUNDREDS OF ACRES OF PROTECTED WOODLANDS!!!**



**Custom 3-Sided Fence, OPEN in REAR to LET WILDLIFE IN YARD!!!**

**NEW FENCE PLAN FOR 1986 SUNNYSIDE DRIVE**

**A BOUNDARY SURVEY OF LOT 29 ON THE PLAN OF SUNNY SIDE ESTATES SECTION 3, PLAT BOOK 5, PAGE 87 BRENTWOOD, WILLIAMSON COUNTY, TN MAY 4, 2011**

**LEGEND**

1. Lot 29 boundary

2. Lot 28 boundary

3. Lot 30 boundary

4. Sunny Side Drive

5. Level Road

6. Easement

7. Easement

8. Easement

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**NATIONAL WILDLIFE FEDERATION**

**CERTIFIED WILDLIFE Habitat™**

This certificate recognizes the establishment and maintenance of an official wildlife habitat.

**Fawn's Wildlife Habitat**

No. 161,066

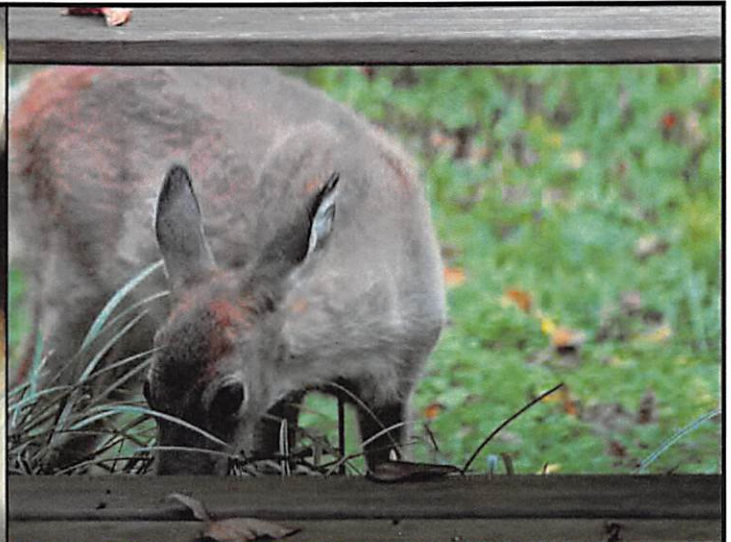
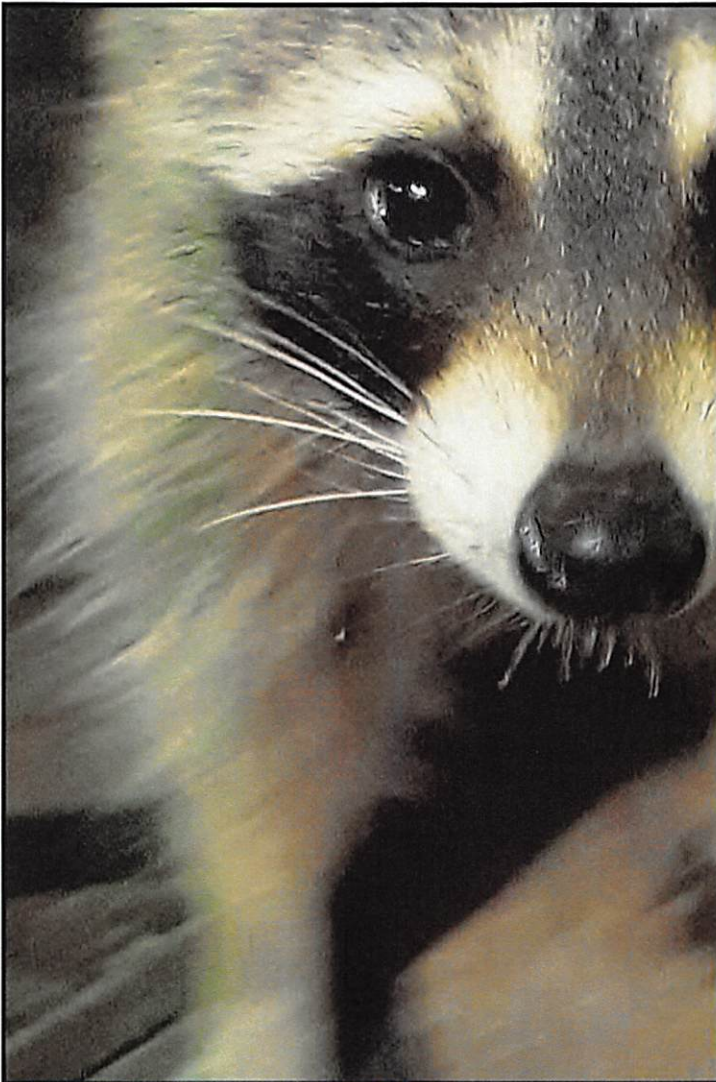
*David Mizgenick*  
David Mizgenick  
National Wildlife Federation  
Thank You! WILDLIFE Habitat is a Great Place!

**I KNOW OF NOTHING WHICH WIFE LOVES MORE THAN ANIMALS OF ALL KINDS!!!**

**NATIONAL WILDLIFE FEDERATION**











Report Generated on January 3rd, 2022



4 bd 3 ba 2,640 sqft

1986 Sunnyside Dr, Brentwood, TN 37027

Sold: **\$540,000** Sold on 02/18/20 Zestimate®: **\$814,200**

## Home value



Zestimate

**\$814,200**



Zestimate range

**\$749,000 - \$887,000**



Last 30-day change

**+ \$13,226 (+1.7%)**



Zestimate per sqft

**\$308**



## Inside the Zestimate

The Zestimate is Zillow's best estimate of a home's value. It is based on a blend of valuation methods, each of which may produce a different estimate depending on the available data.

ESTIMATE BASED ON

Comparable homes

**\$891,193** ▾

Local tax assessments

**\$767,843** ▾

Local Home Values ▾

1 year

5 years

10 years

— This home —







RENTAL ZESTIMATE : \$3,221/mo

Report Generated on January 3rd, 2022

Close ^

Estimated net proceeds

**\$325,558**

Est. selling price of your home

\$ 814,200

Est. remaining mortgage ?

\$ 416,931

Est. prep & repair costs ?

\$6,000 ▾

Est. closing costs ?

\$65,712 ▾

**Est. total selling costs (9%)**

**\$71,712**

All calculations are estimates and provided for informational purposes only. Actual amounts may vary.

## Comparable homes

These are recently sold homes with similar features to this home, such as bedrooms, bathrooms, location, and square footage.

### OUR NEIGHBOR'S HOUSE



[This home](#)

**\$814,200**

Sold

4 beds

3 baths

2640 sqft

\$308 / sqft



[1969 Sunny Side Dr](#)

**\$820,000**

Sold 8 months ago

3 beds

3 baths

2598 sqft

\$316 / sqft

MLS ID #2250642, Vivian Armstrong, 615-815-9132, 615-815-9132



[2011 Sunny Side Dr](#)

**\$720,000**

Sold 12 months ago

4 beds

3 baths

3429 sqft

\$210 / sqft

MLS ID #2202892, Rachel Barry Stinson, 615-397-4307, 615-200-8679



[2011 Sunny Side Dr](#)

**\$720,000**

Sold

4 beds

3 baths

3429 sqft

\$210 / sqft



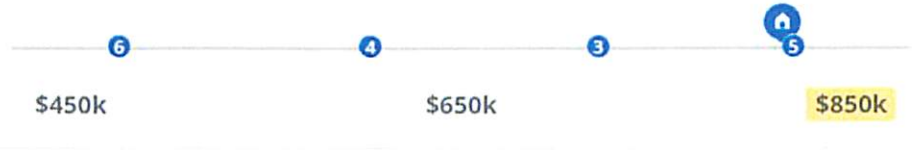


Report Generated on January 3rd, 2022



### Comparative value

Here's how this home's value estimate compares to similar homes nearby.



### Overview

ALL BRICK RANCH\*CUL-DE-SAC LOCATION\*HUGE BEDROOMS & BONUS ROOM\*9FT CEILINGS & CROWN MOLDING IN LIVING RM, DINING RM, & FOYER\*HEATED FLR IN GUEST BATH\*PRIVATE WOODED LOT\*CONVENIENT TO NASHVILLE, BRENTWOOD & FRANKLIN

### Facts and features

[Edit](#)

- Singlefamily
- Built in 1977
- Forced air, electric
- Central
- 5 Parking spaces
- 1.05 Acres

### Interior details

#### Bedrooms and bathrooms

- Bedrooms: 4
- Bathrooms: 3
- Full bathrooms: 2
- 1/2 bathrooms: 1

#### Basement

Basement: Unfinished

#### Flooring

Flooring: Hardwood

#### Heating

Heating features: Forced air, Electric

#### Cooling

Cooling features: Central

#### Appliances

Appliances included: Dishwasher, Garbage disposal, Microwave, Range / Oven

#### Other interior features

Total interior livable area: 2,640 sqft  
Fireplace: Yes





Report Generated on January 3rd, 2022

**Property details**

**Parking**  
 Total spaces: 5  
 Parking features: Garage - Attached, Off-street, Covered

**Property**  
 Exterior features: Shingle, Brick, Cement / Concrete  
 View description: Park, Mountain

**Lot**  
 Lot size: 1.05 Acres

**Other property information**  
 Parcel number: 094013JA03500

**Construction details**

**Type and style**  
 Home type: SingleFamily

**Material information**  
 Foundation: Crawl/Raised  
 Roof: Asphalt

**Condition**  
 Year built: 1977

**Utility**

Water information: City Water

**Community and Neighborhood Details**

**Location**

Region: Brentwood

**Other financial information**

Annual tax amount: \$2,147

**Other facts**

Basement Description: Crawl  
 Floor Types: Finished Wood  
 Oven Source: Electric  
 Sewer System: Septic Tank  
 Bedroom 1 Description: Master BR  
 Downstairs  
 Construction Type: All Brick  
 Cooling System: Central  
 Garage Capacity: 2  
 Heating Source: Electric  
 Heating System: Central  
 Water Source: City Water  
 Garage Description: Attached - SIDE  
 Interior Other: Ceiling Fan, Storage, Wood Burning FP  
 Living Room Description: Fireplace  
 Oven Description: Double Oven  
 Range Description: Cooktop  
 Patio/Deck: Deck  
 Built Information: Renovated  
 Basement Type: Other  
 Kitchen Description: Eat-In  
 Master Bath Description: Ceramic  
 Dining Room Description: Separate

Range Source: Gas  
 Fence Type: Partial  
 Area: 10-Williamson County  
 County: Williamson County, TN  
 Cooling Source: Gas  
 Contingency Type: Inspection  
 Property Class: Residential  
 Sq. Ft. Measurement Source: Prior Appraisal  
 Acreage Source: Calculated from Plat  
 Full Baths Main: 2  
 New Construction: 0  
 Number Of Fireplaces: 1  
 Number Of Stories: 2.00  
 Half Baths Main: 1  
 Kitchen Dimensions: 13x11  
 Rec Room Dimensions: 25x20  
 Tax Amount: 2080  
 Sq. Ft. Main Floor: 2640  
 Mls Status: Under Contract - Showing  
 Standard Status: Active Under Contract  
 Listing Type: STAND

Report Generated on January 3rd, 2022.

As of the date of this report, the Owner appears to be using the Property as a Rental.

Though it seems strange to pay \$540k to purchase a home for a RENTAL. Based upon my 17-Years as a Licensed Tennessee Real Estate Agent, I believe that the Owner is doing this, to "HOLD" the property. Essentially for free, while paying down the debt. As the VALUE of this property exponentially INCREASES over the next 10-15 years.

Due to the LOCATION, the massive growth of the Greater Nashville Area, along with the unique characteristics of this property, I had estimated that it would be worth a MILLION DOLLARS and that we would have it completely paid-off within that time period. (Our Retirement "Nest Egg".)

So far the property has been outperforming even my investment expectations. Between 2/18/2020 & 1/3/2022, it appreciated another \$300k in VALUE. WORTH over \$800k, while we only owed \$300k.

Which is the RETURN on our Pre-Marital Retirement Funds, INVESTED in Williamson County Real Estate!

STOLEN: "Under Color of Law" by Judge Michael W. Binkley, Attorney Virginia Lee Story, Attorney Mary Beth Ausbrooks, with the help of a HALF-DOZEN of their POWERFUL FRIENDS and ASSOCIATES!

OUR COURT ORDERED AUCTION  
After WE INVESTED \$200k MORE  
PLUS 9-Years of Hard Work!

We INSTANTLY LOST about \$250k  
the DAY that our home AUCTIONED!

### Price history

Date	Event	Price	
2/18/2020	Sold	\$540,000 (-10%)	\$205/sqft
Source: Public Record Report			
1/13/2020	Price change	\$599,990 (-3.2%)	\$227/sqft
Source: Benchmark Realty, LLC Report			
12/27/2019	Price change	\$619,900 (-3.1%)	\$235/sqft
Source: Benchmark Realty, LLC Report			
12/5/2019	Listed for sale	\$639,900 (+97.3%)	\$242/sqft
Source: Benchmark Realty, LLC Report			
10/30/2019	Sold	\$324,359 (-7.3%)	\$123/sqft
5/12/2011	Sold	\$350,000	\$133/sqft
Source: Public Record Report			
4/22/2011	Listing removed	\$360,000	\$136/sqft
Source: Zeitlin & Co., Realtors Report			
9/30/2010	Listed for sale	\$360,000 (+42.3%)	\$136/sqft
Source: Zeitlin & Co., Realtors Report			
7/13/2005	Sold	\$253,000 (+11%)	\$96/sqft
Source: Public Record Report			
8/10/1998	Sold	\$228,000	\$86/sqft
Source: Public Record Report			

Auction Investor Resold 4-Months Later  
On the Market for a \$200,000 Profit!

Our Initial Purchase. Home Needed Massive  
Core Improvements for Health & Safety!

### Public tax history

Year	Property Taxes	Tax Assessment
2020	\$2,147	\$96,725
2019	\$2,147 (+3.2%)	\$96,725
2018	\$2,080	\$96,725
2017	\$2,080	\$96,725
2016	--	\$96,725 (+23.7%)
2015	--	\$78,175
2014	--	\$78,175
2013	--	\$78,175
2012	--	\$78,175
2011	--	\$78,175 (+23.5%)



2007	\$1,462	\$63,278
2006	\$1,462 (+9.8%)	\$63,278 (+35%)
2005	\$1,331	\$46,873

### Neighborhood: 37027

SURROUNDED BY HUNDREDS OF ACRES OF PROTECTED WOODLANDS!



### Nearby homes



**\$540,000**  
 4 bd    3 ba    2.6k sqft  
 1986 Sunnyside Dr, Brentwood, TN 370...  
 Sold

MLS ID #2103371



**\$728,100**  
 -- bd    2 ba    80 sqft  
 1980 Sunnyside Dr, Brentwood, TN 370...  
 Off Market

### Nearby schools in Brentwood

Elementary: Grassland Elementary  
 Middle: Grassland Middle School  
 High: Franklin High School

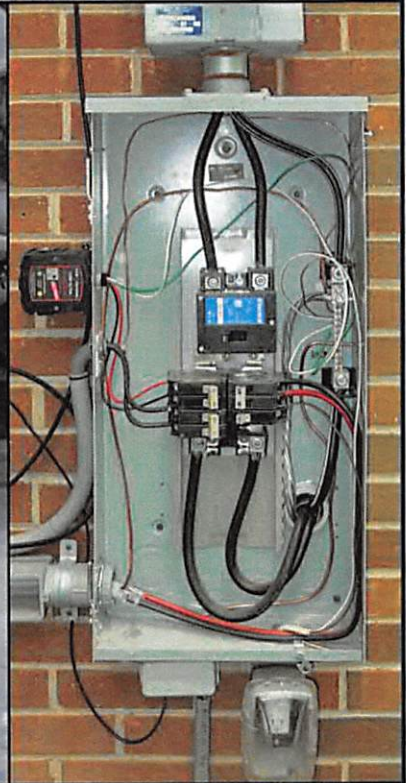
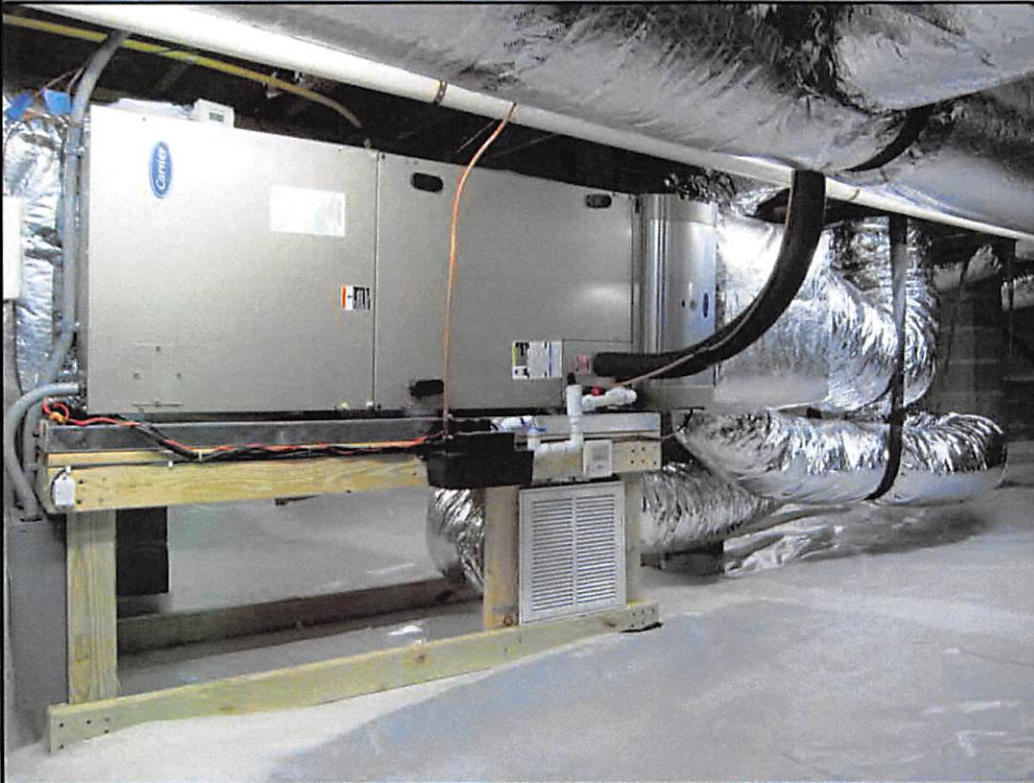
### GreatSchools rating

- 7/10
**Grassland Elementary**  
 Grades: K-5 Distance: 0.8 mi
- 9/10
**Grassland Middle School**  
 Grades: 6-8 Distance: 0.9 mi
- 9/10
**Franklin High School**  
 Grades: 8-12 Distance: 5 mi







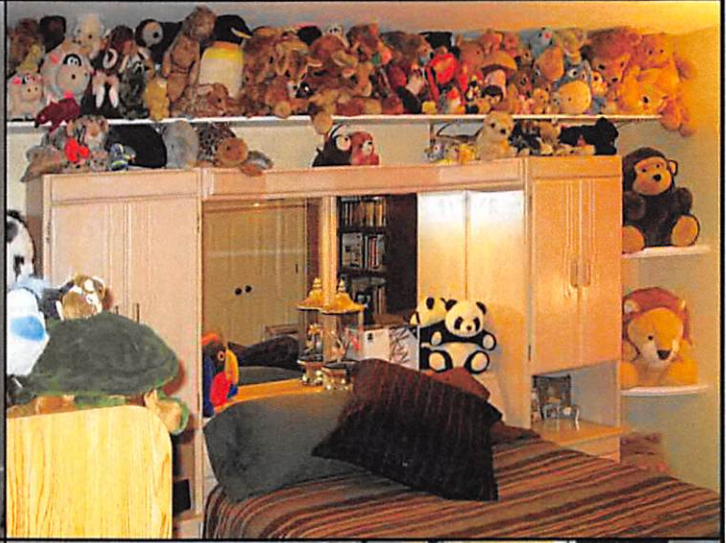
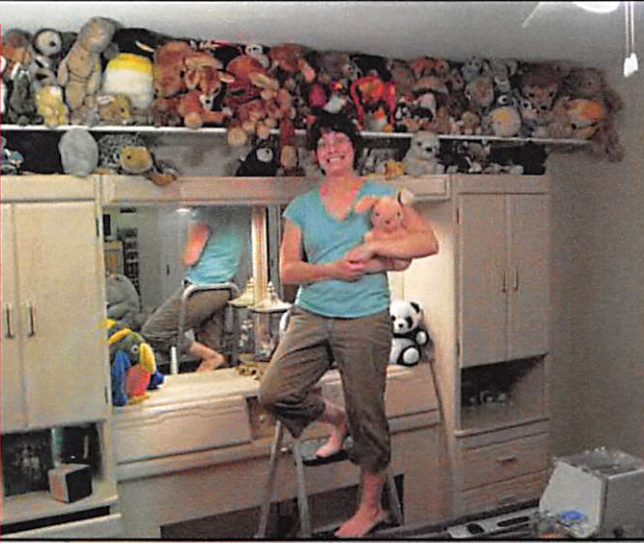








AT TIMES, WHEN YOU INVEST YOUR LIFE, INTO HELPING SOMEONE YOU LOVE, REACH THEIR DREAMS, YOU STILL LACK WHAT THEY NEED THE MOST.





**2**



**Williamson County**  
**Property Tax Notice**  
 Karen Paris . Williamson County Trustee  
 1320 W Main St. Franklin TN 37064  
 615-790-5709

2019

<b>Tax Receipt #</b> 0028996	<b>Total Due</b> \$0.00
<b>Taxes are due by 02/28/2020</b>	
Property Address Sunnyside Dr 1986	

<b>DIST</b>	<b>MAP</b>	<b>GP</b>	<b>C-MAP</b>	<b>PARCEL</b>	<b>SP-INT</b>	<b>CO</b>	<b>CI</b>
07	013J	A	013J	03500	000	094	000

OR CURRENT RESIDENT

INDICATE ADDRESS CHANGE ON REVERSE SIDE

Fenton Jeffrey R Fenton Fawn  
 1986 Sunnyside Dr

**Karen Paris, TRUSTEE**  
 1320 W Main St. Suite 203  
 FRANKLIN TN 37064

Brentwood, TN 370270000

**Williamson County Property Tax Notice**

Karen Paris Williamson County Trustee 1320 W Main St. Suite. Franklin TN 37064 615-790-5709

2019

<b>DIST</b>	<b>MAP</b>	<b>GP</b>	<b>C-MAP</b>	<b>PARCEL</b>	<b>SP-INT</b>	<b>CO</b>	<b>CI</b>
07	013J	A	013J	03500	000	094	000

*Please return the top portion with your payment in the enclosed reply envelope.*

To pay your property taxes make checks payable to :  
**WILLIAMSON COUNTY TRUSTEE**  
 (Your cancelled check serves as your receipt)

**Your payment options are:**

- At our office: 1320 W. Main St. Suite 203; Franklin, TN
- At participating local banks
- On-line with credit card of electronic check\* at our website  
[www.WilliamsonPropertyTax.com](http://www.WilliamsonPropertyTax.com)

\*The vendor charges the following processing fees: \$2.00 per transaction for e-check payments, and a 2.5% plus \$0.30 per transaction for credit/debit card payments.

Scan to pay!

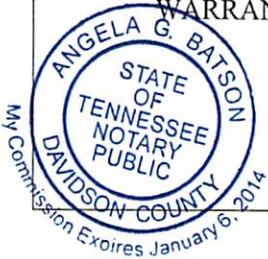


**To avoid interest, taxes must be paid by February 28, 2020.**

**Beginning March 1, 2020 interest will be added to delinquent taxes at the rate of 1.5% per month.**

Williamson County Trustee 1320 W Main St Suite 203 Franklin, TN 37064 (615) 790-5709	Office Hours: Monday thru Friday 8:00 am- 4:30 pm
---	---

<b>Tax Receipt #</b> 0028996	<b>Total Due</b> \$0.00	
Property Address Sunnyside Dr 1986		
Classification Real Property		
Subdivision Sunnyside Est Sec 3		
Lot 0029	Acres 0.00	EQ Factor 0.0000
Additional Description		
Appraised value	\$386,900	
Assessment	25%	
Assessed value	\$96,725	
Interest	\$0.00	
County taxes	\$2,147.00	
9th FSSD taxes	\$0.00	
City taxes	\$0.00	
Total due	\$0.00	

 <p style="text-align: center;">WARRANTY DEED</p>	STATE OF TENNESSEE COUNTY OF WILLIAMSON THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS <u>\$350,000.00</u>
	<p style="text-align: center;"><i>[Signature]</i> Affiant</p> <p>Subscribed and sworn to before me, this 29th day of April, 2011.</p> <p style="text-align: center;"><i>[Signature]</i> Notary Public</p> <p>MY COMMISSION EXPIRES: (AFFIX SEAL)</p>

THIS INSTRUMENT WAS PREPARED BY:  
 Southland Title & Escrow Co., Inc.  
 7101 Executive Center Drive, Suite 151  
 Brentwood, TN 37027

ADDRESS NEW OWNERS AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Fawn <input checked="" type="checkbox"/> Fenton	Renasant Bank	013 J-A
(NAME)	(NAME)	(MAP)
1986 Sunnyside Drive	2001 Park Place North, Suite 650	035.00
(ADDRESS)	(ADDRESS)	(PARCEL)
Brentwood, TN 37027	Birmingham, AL 35203	
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

For and in consideration of the sum of TEN DOLLARS, cash in hand, paid by the hereinafter named Grantee(s), and other good and valuable consideration, the receipt of which is hereby acknowledged, I/we, **Mangel Jerome Terrell and wife, Colette Keyser**, hereinafter called the Grantor(s), have bargained and sold, and by these presents do hereby transfer and convey unto **Jeffrey R. Fenton and wife, Fawn  Fenton**, hereinafter called Grantee(s), their heirs and assigns, that certain tract or parcel of land in Williamson County, TENNESSEE, described as follows, to-wit:

LAND in Williamson County, TN, BEING Lot No. 29, on the Plan of Section 3, Sunny Side Estates, of record in Plat Book 5, page 67 as amended in Book 330, page 844, Register's Office for Williamson County, TN, to which plan reference is hereby made for a complete description thereof.

Being the same property conveyed to Jerome Terrell and spouse, Collette Keyser, by deed dated July 8, 2005, from Melner R. Bond III and spouse, Kimala K. Bond, of record in Book 3615, page 152, and further conveyed to Mangel Jerome Terrell and wife, Colette Keyser, by Quitclaim Deed dated February 20, 2009, from Jerome Terrell and wife, Colette Keyser, of record in Book 4743, page 715, Register's Office for Williamson County, TN.

This conveyance is subject to the taxes for the current year and subsequent years; any and all easements and/or restrictions of record; and all matters shown on the plan of record; all in the said Register's Office.

This is ( ) unimproved (X) improved property, know as: 1986 Sunnyside Drive, Brentwood, Tennessee 37027

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my/our hand(s) this 29th day of April, 2011.

*[Signature]*  
 Mangel Jerome Terrell

*[Signature]*  
 Colette Keyser



STATE OF TENNESSEE  
COUNTY OF WILLIAMSON

Before me, the undersigned authority, a Notary Public within and for the State and County, appeared Mangel Jerome Terrell; Colette Keyser with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who upon their oath(s) acknowledged themselves to be the within named bargainor(s), and that they executed the foregoing instrument of their own free will for the purposes therein set forth.


Witness my hand and official seal at office at Brentwood, Tennessee, on this the 29th day of April, 2011.

  
Notary Public

My Commission Expires: 9/3/2012



This document was e-recorded in Book 5313,  
Page 452, Williamson Co. ROD on 5/12/11.

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	<p><i>[Signature]</i> Affiant</p> <p>Subscribed and sworn to before me, this 29th day of April, 2011.</p> <p><i>[Signature]</i> Notary Public</p> <p>MY COMMISSION EXPIRES: (AFFIX SEAL)</p>

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 Southland Title & Escrow Co., Inc.  
 7101 Executive Center Drive, Suite 151  
 Brentwood, TN 37027

ADDRESS NEW OWNERS AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Fawn <input checked="" type="checkbox"/> Fenton	Renasant Bank	013 J-A
(NAME)	(NAME)	(MAP)
1986 Sunnyside Drive	2001 Park Place North, Suite 650	035.00
(ADDRESS)	(ADDRESS)	(PARCEL)
Brentwood, TN 37027	Birmingham, AL 35203	
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

For and in consideration of the sum of TEN DOLLARS, cash in hand, paid by the hereinafter named Grantee(s), and other good and valuable consideration, the receipt of which is hereby acknowledged, I/we, **Mangel Jerome Terrell and wife, Colette Keyser**, hereinafter called the Grantor(s), have bargained and sold, and by these presents do hereby transfer and convey unto **Jeffrey R. Fenton and wife, Fawn  Fenton**, hereinafter called Grantee(s), their heirs and assigns, that certain tract or parcel of land in Williamson County, TENNESSEE, described as follows, to-wit:

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This is ( ) unimproved (X) improved property, know as: 1986 Sunnyside Drive, Brentwood, Tennessee 37027

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my/our hand(s) this 29th day of April, 2011.

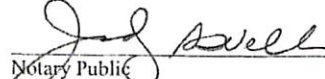
*[Signature]*  
Mangel Jerome Terrell

*[Signature]*  
Colette Keyser

STATE OF TENNESSEE  
COUNTY OF WILLIAMSON

Before me, the undersigned authority, a Notary Public within and for the State and County, appeared Mangel Jerome Terrell; Colette Keyser with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who upon their oath(s) acknowledged themselves to be the within named bargainer(s), and that they executed the foregoing instrument of their own free will for the purposes therein set forth.

Witness my hand and official seal at office at Brentwood, Tennessee, on this the 29th day of April, 2011.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 9/3/2012





Book 5313 Page 454

BK/PG: 5313/452-454  
11015616

Certificate of Authenticity

3 PGS : DEED	
KIMM OWENS 214724 - 11015616	
03/12/2011 - 02:16 PM	
VALUE	350000.00
MORTGAGE TAX	0.00
TRANSFER TAX	1295.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTRAR'S FEE	1.00
TOTAL AMOUNT	1313.00
STATE OF TENNESSEE, WILLIAMSON COUNTY	
SADIE WADE	
REGISTER OF DEEDS	

I, Kimberly Hollingshead, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

[Handwritten Signature]

Signature

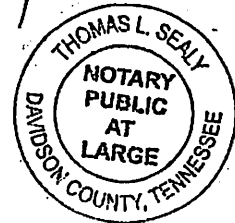
State of Tennessee  
County of Williamson

Personally appeared before me, The Undersigned, a notary public for this county and state, Kim Hollingshead who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

[Handwritten Signature]

Notary's Signature

My Commission Expires: 1/9/12





**From:** Kim Hollingshead [Kim@TouchstoneTitleTN.com]  
**Sent:** Wednesday, September 24, 2014 3:42 PM  
**To:** Jeff Fenton  
**Cc:** Fawn Fenton  
**Subject:** RE: Fenton Purchase | 1986 Sunnyside Drive, Brentwood | Tenancy by the Entirety?

And wife

---

**From:** Jeff Fenton  
**Sent:** Wednesday, September 24, 2014 3:41 PM  
**To:** Kim Hollingshead  
**Cc:** Fawn Fenton  
**Subject:** RE: Fenton Purchase | 1986 Sunnyside Drive, Brentwood | Tenancy by the Entirety?

Thanks for the lightening fast response with the Deed Kim!

Can you please explain to me how "Tenancy by the Entirety" is specified/differentiated on this document?

Thanks again!

**Jeff Fenton**

Meticulous Marketing LLC  
(615) 837-1300 Office  
(615) 837-1301 Mobile  
(615) 837-1302 Fax

**When it's worth doing RIGHT the first time!**

Submit or respond to a support ticket [here](#).

---

**From:** Kim Hollingshead [<mailto:Kim@TouchstoneTitleTN.com>]  
**Sent:** Wednesday, September 24, 2014 3:31 PM  
**To:** Jeff Fenton  
**Cc:** Fawn Fenton  
**Subject:** RE: Fenton Purchase | 1986 Sunnyside Drive, Brentwood | Tenancy by the Entirety?

Jeff, please see attached. Title is currently vested as Tenancy by the Entirety.

*Kimberly K. Hollingshead, Esq.*  
President  
Touchstone Title & Escrow, LLC  
318 Seaboard Lane, Suite 114  
Franklin, TN 37067





### 31.1 TENANCY BY THE ENTIRETY

When real property is acquired by individuals who are husband and wife at the time of the conveyance, then title is jointly held as an indivisible whole with right of survivorship unless the granting instrument expressly states that title is not to be held as a Tenancy by the Entirety. Upon divorce, a Tenancy by the Entirety is destroyed and absent some decree by the Divorce Court, the interest of the former spouses is converted into a Tenancy in Common with each owning a one-half interest.

### 31.2 TENANTS IN COMMON

When real property is acquired by two or more individuals who are not married at the time of the conveyance, or a Tenancy by the Entirety is destroyed through a divorce, title is held as Tenants in Common. In cases where the property is owned by Tenants in Common, each owner has a certain defined share in the property. Unless the instrument states otherwise, when there are two owners, each will automatically be presumed to own one-half each; if three, a third each, and so on. However, the shares between Tenants in Common do not need to be equal. The parties can decide what share of the property belongs to each owner. For example, if two individuals named Sam and Mark buy a property together, but if Sam contributes more to the purchase price than Mark, this could be reflected in the respective shares each acquires in the property. The deed into these individuals could state that Sam receives 70% interest in the property and Mark is entitled to 30%. The important point is that each of the Tenants in Common owners always owns his or her share of the property, and is only entitled to that same percentage of the sale proceeds. For example, if Sam dies, then his share of the property will be administrated as part of Sam's estate. Mark will continue to own his 30% after Sam's death. Unlike in a Joint Tenancy with a Right of Survivorship, it does not automatically pass to Mark.

When property is held as Tenants in Common, each of the individuals have a right to enter the common estate and take possession of the whole, subject to the equal right of the co-tenants to share in possession of the whole; and one co tenant's occupation or possession of the property can never be deemed adverse to the other co-tenants.





550 William Northern Blvd., P.O. Box 1210  
Tullahoma, Tennessee 37388  
(931)455-5441

ACCOUNT NUMBER		PAGE
2576580		1
01OCT09		31OCT09
SOCIAL SECURITY NUMBER	FROM	TO
	STATEMENT PERIOD	
KN E-STMT		

FAWN FENTON  
JEFFREY R FENTON  
P.O. BOX 111777  
NASHVILLE TN 37222

**\*\*REQUIRED CARD ACT NOTIFICATION\*\***  
Please note that your loan payment will not be considered late until the 24th of the month. \*This applies only to loans under an open end plan. \*This does not apply to closed end Real Estate, Indirect Auto and Credit Card loans or loans currently delinquent. \*This does not apply to loans with payments that are due after the 24th of month.

NOTICE: See reverse side for important information

SHARE Suffix 0 <b>OUR JOINT REAL ESTATE INVESTMENT HOLDING FUND FOR OUR MARITAL RESIDENCE AT: 1986 SUNNYSIDE DR, BRENTWOOD, TN 37027 Purchase Closed on 4/29/2011</b>	Your balance at the beginning of the period.....\$ 620.58 05OCT WITHDRAWAL E-Branch -600.00 = 20.58 Transfer "STD" 600.00 to share 7 20OCT DEPOSIT 453.02 = 473.60 DBO Deposit Funds Transfer From 064005203 20OCT WITHDRAWAL -453.02 = 20.58 DBO Withdraw Funds For Credit Distribution 23OCT DEPOSIT Fawn's Premarital Retirement Funds 10797.02 = 10817.60 31OCT DIVIDEND through 31OCT2009 (After the 2008 Market Crisis) 3.16 = 10820.76 ANNUAL PERCENTAGE YIELD EARNED: 1.16% FOR A 31 DAY PERIOD Average Daily Balance: 3232.62 Your new balance on 31OCT09.....\$ 10820.76 Dividends Paid To You In 2009 On Suffix 0 \$ 42.41
<b>AUTO Loan 1 Prius Paid Off from Fawn's Vanguard Retirement Remainder Deposited for Marital Residence</b>	Your balance at the beginning of the period.....\$ 1793.13 4.75% ***ANNUAL PERCENTAGE RATE*** .013014% Daily Periodic Rate **FINANCE** (PAYMENT)**CHARGE**PRINCIPAL 20OCT PAYMENT (453.02) 6.77 446.25 = 1346.88 DBO distribution \$453.02 from account ***580...064005203 23OCT PAYMENT (1347.41) 0.53 1346.88 = 0.00 Your new balance on 31OCT09.....\$ 0.00 FINANCE CHARGES PAID IN 2009 ON LOAN 1 \$ 65.53
SHARE DRAFT Suffix 7	No. 1002576580. Balance at the beginning of the period....\$ 10.26 Additions and miscellaneous withdrawals: 05OCT DEPOSIT E-Branch 600.00 Transfer "STD" 600.00 from share 0 31OCT DIVIDEND through 31OCT2009 0.23 ANNUAL PERCENTAGE YIELD EARNED: 0.51% FOR A 31 DAY PERIOD Average Daily Balance: 532.84 0 Withdrawals = 0.00 2 Deposits = 600.23 0 Drafts Cleared Your new balance on 31OCT09.....\$ 610.49 Dividends Paid To You In 2009 On Suffix 7 \$ 0.48 To report a lost or stolen Freedom (Visa Check) Card after Credit Union Business Hours, call 1-800-250-9655.
Your Financial Summary	Your total Draft balances.....\$ 610.49 Your total Share balances.....\$ 10,820.76 Your total Loan balances.....\$ 0.00

YTD Tax  
Summary

YEAR  
Total  
(May  
Total

**We lived under the SPIRITUAL PRINCIPAL of the "TWO becoming ONE at MARRIAGE". Throughout the ENTIRE DURATION of OUR MARRIAGE. Until after my ex-wife unnecessarily, prematurely, and irresponsibly ABANDONED our Marital Residence. (It was 2,500 SqFt, and NOT a hostile environment.)**

**ALL of our ASSETS and DEBTS were ALWAYS Held as ONE "Tenancy by Entirety". Regardless of whose NAME either were technically in. Those choices were strategically for the BENEFIT of BOTH of US! (Whether for preferential interest rates, risk mitigation, etc... which was EQUALLY for BOTH OUR BENEFIT!) It was a matter of "OUR LEFT POCKET" vs "OUR RIGHT POCKET". NEVER "HERS" or "MINE"!**

\*ASTERISK NEXT TO



**2010 Form 1099-R**

Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.

1-800-662-2739

PAGE 2 OF 3

**Vanguard**

P.O. BOX 2600 · VALLEY FORGE, PA 19482-2600

**JEFFREY RYAN FENTON**  
 PO BOX 111777  
 NASHVILLE TN 37222-1777

**PAYER'S name**  
**Vanguard Fiduciary Trust Company**

**PAYER'S federal identification number**  
**23-2640992**

**RECIPIENT'S identification number**  
**XXX-XX-5069**

This information is being furnished to the Internal Revenue Service.  
 Department of the Treasury - Internal Revenue Service

Plan Name		Fund Name		Account number		Box 10:	Box 11:	Box 12:
Box 1: Gross distribution	Box 2a: Taxable amount	Box 2b: Taxable amount not determined	Box 4: Federal income tax withheld	Box 7: Distribution code(s)	IRA/ SEP/ SIMPLE	State tax withheld	State/Payer's state no.	State distribution
<b>ROTH IRA</b>								
STRATEGIC EQUITY FUND	8,023.32	X	09984339759 0.00	J				
REIT INDEX FUND INV	9,758.76	X	09984339759 0.00	J				

**JEFF'S TOTAL RETIREMENT DISTRIBUTION**  
 (After 2007-2008 Financial Crisis)  
**DEPOSITED IN ASCEND JOINT**  
**HOUSE INVESTMENT FUND**  
 on 4/25/2010  
**\$17,782.08**

Form 1099-R  
 OMB No. 1545-0119

**Copy B Report this income on your federal tax return. If this form shows federal income tax withheld in box 4, attach this copy to your return.**

2-3

01035809





## Confirmation



**i** Confirmation number W206391261

Thank you. You can print this page for your records.

Vanguard received your transaction on 04/24/2010, at 4:02 a.m., Eastern time.

Redemption requests received before 4 p.m., Eastern time, are processed the same business day, and your money should be delivered to your bank in two business days. Requests received after 4 p.m., Eastern time, are processed the next business day, and your money should be delivered to your bank in three business days.

Your Vanguard account will reflect the redemption the day after it is processed.

You'll receive confirmation of this transaction electronically, with an e-mail notification sent at the end of the day on which your request is processed.

Notice of your confirmation will be sent to the Web-registered address below. You can [change your e-mail address](#) at any time.

E-mail address	Business@FentonMail.com
----------------	-------------------------

### Fund information

Account	Jeffrey Ryan Fenton—Roth IRA
Fund name	Strategic Equity Fund (VSEQX)
Fund & account	0114-09984339759

### Method and amount

Sale amount	100%
Redemption method	Electronic Bank Transfer

### Restrictions

Restricted until	06/25/2010
------------------	------------

Information on Vanguard's frequent-trading policy is available in each fund's prospectus. You can review our [redemption policies](#). 06/25/2010.

### Bank instructions

Routing number	264181626
Name of bank	ASCEND FCU
Bank account number	*****6580
Bank account type	Savings (JOINT HOUSE INVESTMENT FUND)





550 William Northern Blvd., P.O. Box 1210  
Tullahoma, Tennessee 37388  
(931)455-5441

ACCOUNT NUMBER		PAGE
2576580		1
01APR10		30APR10
SOCIAL SECURITY NUMBER	FROM	TO
	STATEMENT PERIOD	
KN E-STMT		

FAWN FENTON  
JEFFREY R FENTON  
P.O. BOX 111777  
NASHVILLE TN 37222

**MORTGAGE SPECIAL!**

Now through May 31 or until allocated funds are depleted, Ascend is offering a great mortgage special. Visit [ascendfcu.org](http://ascendfcu.org) or call 1-800-342-3086 for details.

NOTICE: See reverse side for important information



SHARE Suffix 0  <b>OUR JOINT REAL ESTATE INVESTMENT HOLDING FUND</b>  <b>FOR OUR MARITAL RESIDENCE AT:</b>  1986 SUNNYSIDE DR, BRENTWOOD, TN 37027  Purchase Closed on 4/29/2011	Your balance at the beginning of the period.....\$ 12049.92 28APR DEPOSIT-ACH-A-INVEST MY Pre marital Retirement Funds 9758.76 = 21808.68 VGI-REIT IX IN (INVESTMENT) (After the 2008 Market Crisis) 28APR DEPOSIT-ACH-INVESTMENT 8023.32 = 29832.00 VGI-STR EQUITY (INVESTMENT) 30APR DIVIDEND through 30APR2010 11.93 = 29843.93 ANNUAL PERCENTAGE YIELD EARNED: 1.05% FOR A 30 DAY PERIOD Average Daily Balance: 13828.13  Your new balance on 30APR10.....\$ 29843.93  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 20%; text-align: center;">Total for this period</td> <td style="width: 20%; text-align: center;">Total year-to-date</td> </tr> <tr> <td>TOTAL OVERDRAFT ITEM FEES</td> <td style="text-align: center;">0.00</td> <td style="text-align: center;">0.00</td> </tr> <tr> <td>TOTAL RETURNED ITEM FEES</td> <td style="text-align: center;">0.00</td> <td style="text-align: center;">0.00</td> </tr> </table> Dividends Paid To You In 2010 On Suffix 0 \$ 46.01  ===== SHARE No. 1002576580. Balance at the beginning of the period....\$ 611.75 DRAFT Additions and miscellaneous withdrawals: Suffix 7 30APR DIVIDEND through 30APR2010 0.20 ANNUAL PERCENTAGE YIELD EARNED: 0.40% FOR A 30 DAY PERIOD Average Daily Balance: 611.75  0 Withdrawals = 0.00 1 Deposits = 0.20 0 Drafts Cleared Your new balance on 30APR10.....\$ 611.95  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 20%; text-align: center;">Total for this period</td> <td style="width: 20%; text-align: center;">Total year-to-date</td> </tr> <tr> <td>TOTAL OVERDRAFT ITEM FEES</td> <td style="text-align: center;">0.00</td> <td style="text-align: center;">0.00</td> </tr> <tr> <td>TOTAL RETURNED ITEM FEES</td> <td style="text-align: center;">0.00</td> <td style="text-align: center;">0.00</td> </tr> </table> Dividends Paid To You In 2010 On Suffix 7 \$ 0.95  To report a lost or stolen Freedom (Visa Check) Card after Credit Union Business Hours, call 1-800-250-9655.  ===== Your Financial Summary Your total Draft balances.....\$ 611.95 Your total Share balances.....\$ 29,843.93  YTD Tax Summary YEAR-TO-DATE INFORMATION FOR TAX PURPOSES: Total non-IRA dividends earned (May be reported to IRS as interest for this calendar year)..\$ 46.96		Total for this period	Total year-to-date	TOTAL OVERDRAFT ITEM FEES	0.00	0.00	TOTAL RETURNED ITEM FEES	0.00	0.00		Total for this period	Total year-to-date	TOTAL OVERDRAFT ITEM FEES	0.00	0.00	TOTAL RETURNED ITEM FEES	0.00	0.00
	Total for this period	Total year-to-date																	
TOTAL OVERDRAFT ITEM FEES	0.00	0.00																	
TOTAL RETURNED ITEM FEES	0.00	0.00																	
	Total for this period	Total year-to-date																	
TOTAL OVERDRAFT ITEM FEES	0.00	0.00																	
TOTAL RETURNED ITEM FEES	0.00	0.00																	

\*ASTERISK NEXT TO

**We lived under the SPIRITUAL PRINCIPAL of the "TWO becoming ONE at MARRIAGE". Throughout the ENTIRE DURATION of OUR MARRIAGE. Until after my ex-wife unnecessarily, prematurely, and irresponsibly ABANDONDED our Marital Residence. (It was 2,500 SqFt, and NOT a hostile environment.)**

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FAWN FENTON CELL 308-4350		2016
JEFFREY R FENTON		87-8162/2641
P.O. BOX 111777		
NASHVILLE, TN 37222		
APRIL 3, 2011 DATE		
PAY TO THE ORDER OF	ZEITLIN & CO REALTORS	\$ 5000 <sup>00</sup>
	FIVE THOUSAND ——— ONLY ———	DOLLARS 
 AEDC FEDERAL CREDIT UNION Nashville, Tennessee 37214		
FOR	1906 SUNNYSIDE EARNEST MONEY	<i>Fawn Fenton</i> MP
⑆ 264181626⑆ 10025765800⑆ 2016		

DATE	TELLER	TRANSACTION / TYPE	ACCOUNT-SFX	PREV BAL	CHK AMT	END BAL
28APR11	723-176	Cashier's Check Sal	2576580-0		34500.00	
Payee: TOUCHSTONE TITLE AND ESCROW LLC						
		S (0)	SD (7)			
		5525.13	610.02			
		Loan (1)	Loan (85)	Loan (90)		
		0.00	0.00	0.00		

CHECK NO : 219813

TOUCHSTONE TITLE AND ESCROW LLC\*\*\*



DETACH THIS PORTION BEFORE DEPOSITING

WARNING: THIS CHECK IS PROTECTED BY SECURITY FEATURES. DETAILS ON BACK.



520 Airpark Drive P.O. Box 1210  
Tullahoma, Tennessee 37388  
(931) 455-5441

28APR11

87-8162  
2641

CHECK NO : 219813

AMOUNT

\$ \*\*34500.00

VOID AFTER 90 DAYS

PAY THE SUM OF THIRTY FOUR THOUSAND FIVE HUNDRED AND 00/100 DOLLARS

PAY TO THE ORDER OF TOUCHSTONE TITLE AND ESCROW LLC\*\*\*

*Caren C. Gehrig*  
AUTHORIZED SIGNATURE

Remitter: FAWN FENTON

*Alvin D. Conner*  
2nd SIGNATURE REQUIRED FOR CHECKS OVER \$5,000

CASHIER'S CHECK

⑈00219813⑈ ⑆2641816261⑆ 646226183⑈

### The Brand Promise

Our brand promise is to educate and help you become an effective financial steward. We deliver this promise by asking you questions and offering our full, undivided attention to understand your current life situation and future plans before offering solutions.

Our tagline is "Raising Possibilities." All that we do to define and differentiate ourselves from other financial institutions derives from this. We want to help you recognize and raise all the possibilities as we assist you with personal financial solutions.



3



**Jeff Fenton**

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**From:** Fenton Finances <fenton.finances@outlook.com>  
**Sent:** Monday, April 23, 2018 2:37 AM  
**To:** Fawn Fenton  
**Subject:** Fwd: Your TFS account management email

Previously shared email address used for our family's financial records and notifications.

Whatever makes you feel powerful. I'm still going to subpoena all these records, and the equity is all community property regardless of whose email the statements go to.

You're totally wasting your time. None of this is necessary. You are creating your own emergency, when none exists.

Oh well... please provide me with all account statements, for every account which you are blocking my access from, from Jan 2015 until current, so I can continue to work on our taxes.

Please do not change Amazon or Paypass, or I will need the final invoices for every single transaction since Jan of 2015. (I need for bookkeeping, as well as establishing value, as well as taxes, as well as for insurance purposes. You promised that you wouldn't lock me out of our finances! That you would update our SHARED LastPass folder, with all new or changed passwords for our financial accounts, or which I need to catch-up on bookkeeping!)

I promise I won't spend any money through your accounts except using the BOA Visa Rewards that you gave me, and which you promised a new card is already ordered with my name on it.

If you cut that off too, then I'll have no choice but to immediately pursue an emergency interim order, so that I can eat!

Jeff Fenton  
METICULOUS.tech

Sent by my iPhone

---

**From:** Toyota Financial Services <toyotafinancial@toyota.com>

**Sent:** Monday, April 23, 2018 1:23:48 AM

**To:** fenton.finances@outlook.com

**Subject:** Your TFS account management email

Your account management email has been updated

[VIEW ONLINE](#)



**Good news!**  
Your account management email has been updated.



Your request has been completed, and we have successfully updated your account management email. We will no longer

use this email address to communicate with you. Thanks for  
keeping us in the loop!



If you did not make the recent request to update your account  
management email, please call us at 1-800-874-8822.



Please do not reply to this email. This is a post-only, outbound email. We will be unable to respond to your reply. For more information about Toyota Financial Services, please use the links below.

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EXHIBIT #25

**Jeff Fenton**

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**From:** Fawn Fenton  
**Sent:** Wednesday, May 2, 2018 5:20 PM  
**To:** Jeff Fenton  
**Subject:** Budget  
**Attachments:** Fawn-Jeff Budget Apart 2018.pdf

FILED FOR ENTRY  
2020 FEB 19 PM 1:14

Hello,

Attached is the "budget" that I believe is realistic for the upcoming year.

With my salary as the only support, I actually come up short about \$110 per month.

And this is without any other little things for either of us, at all. In real life, we each probably spend \$100 to \$200 per month on little discretionary extras here and there.

In the short term, I should be able to pay for everything listed on this sheet, except that the BofA Rewards card and the Capital One card will not have their balances paid in full like we usually do. I will have to see how things go over the next 2-3 months... if your expenses all go on the BofA rewards card, then the amount due for that card will go up, and the Capital One card (which I will continue to use) the amount due should go down. So maybe I can figure out how to pay in full one of those each month to avoid interest charges, but the other one will start to accumulate a balance with interest. So in a few weeks, I might see if I can find a new card with lower interest, for one of us to use. For example, if we want to get rid of the BofA Rewards card, then I could balance-transfer that one to a new lower interest card; and then I could pay off the Capital One every month, but only pay what I can afford on the new card, which will have a gradually increasing balance.

So, if you can contribute financially even a little, I would really appreciate it. I am not trying to "require" you to contribute, but just letting you know where I stand without you paying for anything (credit card debt will gradually increase over time.)

Let me know what you think.

Thanks,

Fawn

**Fawn and Jeff Budget for Living Apart in 2018:**

<b>Sunnyside bills</b>		<b>Typ Monthly</b>
1st-6th	Sunnyside Mortgage	\$ 1,850.00
26th-28th	Bancorp South (2nd Morg. SS)	\$ 210.00
1st-4th	Piedmont Gas	\$ 30.00
28th - 2nd	GeoAlarm & Monitronics	\$ 17.00
4th - 5th	Progressive Car Insurance (both)	\$ 135.00
23rd	NES Electric (varies)	\$ 241.00
20th - 23rd	Comcast	\$ 50.00
23rd	HVUD - Sunnyside Water	\$ 24.00
23-24th	AT&T Wireless	\$ 127.00
27th	Waste Industries (\$69 quarterly)	\$ 23.00
<b>Total SunnySide Bills</b>		<b>\$ 2,707.00</b>
<i>Sunnyside Bills n.i.c. mortgages</i>		\$ 647.00

<b>Other Fixed Sunnyside Expenses</b>		
30th	Walden's Puddle	\$ 50.00
16th	Compassion International	\$ 38.00
18th	Netflix	\$ 16.00
	Pest Control (SS - \$60/qtr)	\$ 20.00
<b>Other fixed expenses</b>		<b>\$ 124.00</b>

<b>Sunnyside (Jeff) Variable expenses</b>		
	Automobile Gas	\$ 40.00
	Pharmacy Scrips	\$ 30.00
	Food - Groceries	\$ 180.00
	Food - Take-Out	\$ 300.00
	Electronics/Software	\$ 20.00
	Personal Care (Haircuts)	\$ 25.00
	Postage-Delivery	\$ 5.00
	Toiletries	\$ 30.00
	Pet Food	\$ 20.00
	Pet Supplies	\$ 10.00
	Home Maintenance Misc.	\$ 20.00
<b>estimate SS/Jeff variable expenses</b>		<b>\$ 680.00</b>

**Budgeted SS/Jeff Costs: \$ 3,511.00**

Unpredictable Expenses:  
 Pet Veterinary  
 Doctor/Medical  
 Clothing

Annual Expenses:	Yearly:	Monthly:
Sarah Nexguard	\$ 240.00	\$ 20.00
Sarah Hartgard	\$ 100.00	\$ 8.33
Sarah Annual Shots	\$ 200.00	\$ 16.67
Amazon Prime	\$ 120.00	\$ 10.00
Termite Contract	\$ 195.00	\$ 16.25
Buick LeSabre Tag Registration	\$ 125.00	\$ 10.42
Prius Tag Registration	\$ 76.00	\$ 6.33
	<b>\$ 1,056.00</b>	<b>\$ 88.00</b>

,pay for with bonus? or save each month?

<b>Fawn's Apartment bills</b>		<b>Typ Monthly</b>	
1st	Rent + Utilities	\$ 1,170.00	
	Comcast/Internet	\$ 40.00	
	NES Electric	\$ 150.00	
<b>Total apartment bills</b>		<b>\$ 1,360.00</b>	<i>annual:</i> <b>\$ 16,320.00</b>

<b>Other Fixed Fawn Expenses</b>			
28th	Toyota Car Loan Payment	\$ 300.00	
19th	Books on Tape	\$ 34.00	
	Laundry	\$ 15.00	
	Counseling for Fawn (2x/mo)	\$ 240.00	\$ 2,880.00
	Counseling for Jeff	\$ -	\$ -
	Counseling Together (?)	\$ -	\$ -
<b>Other fixed expenses</b>		<b>\$ 589.00</b>	<b>\$ 2,880.00</b>

<b>Credit Card Payments:</b>		
	Ascend FCU	\$ 50.00
	BofA Platinum Card	\$ 200.00
<i>(CapOne and BofA-Rew. Paid full)</i>		
<b>Credit card payments</b>		<b>\$ 250.00</b>

<b>Misc. Fawn Variable Expenses</b>		
	Misc Travel (Parking, Tolls)	\$ 5.00
	Automobile Gas	\$ 45.00
	Pharmacy Scrips	\$ 20.00
	Food - Groceries	\$ 250.00
	Food - Take-Out	\$ 150.00
	Toiletries	\$ 40.00
	Pet Food	\$ 20.00
	Pet Supplies	\$ 20.00
	Home Maintenance Misc.	\$ 10.00
<b>estimate Fawn variable expenses</b>		<b>\$ 560.00</b>

**Budgeted Fawn/Apt Costs: \$ 2,759.00**

Anticipated Total costs for both: \$ 6,270.00

Fawn's Net Salary \$ 6,160.00

Net monthly (deficit): \$ (110.00)

Deficit over a year: \$ (1,320.00)

684



9:47 94%  
 ← Fawn Fenton  
 What happened? Why did you suddenly decide I am trying to get out of paying your alimony? (Which isn't true, I have always intended to pay you as we discussed.) Your mood swings are so weird. I thought, based upon our emails, that we were not going to harrass each other with legal contracts. As I said, the terms of your alimony will be immortalized in the final divorce filing, which we will do after the house sells. I don't understand why you are suddenly freaking out for no reason.  
 F  
 Jan 6, 2019  
 You agreed to put it writing before I leave, now you are pretending you never agreed to that and refusing.  
 Type a message

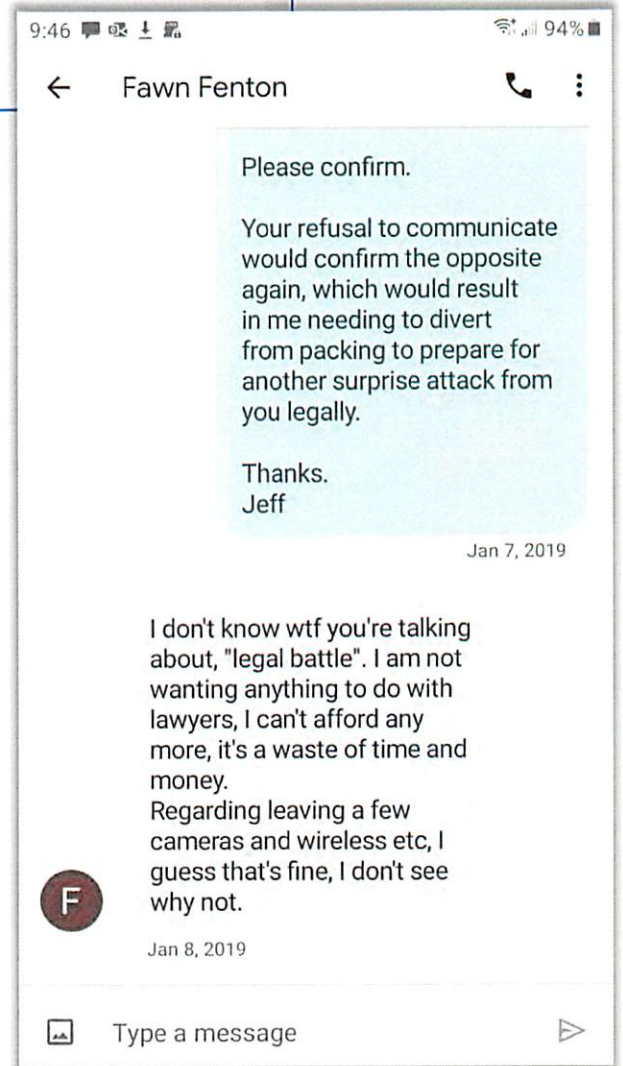
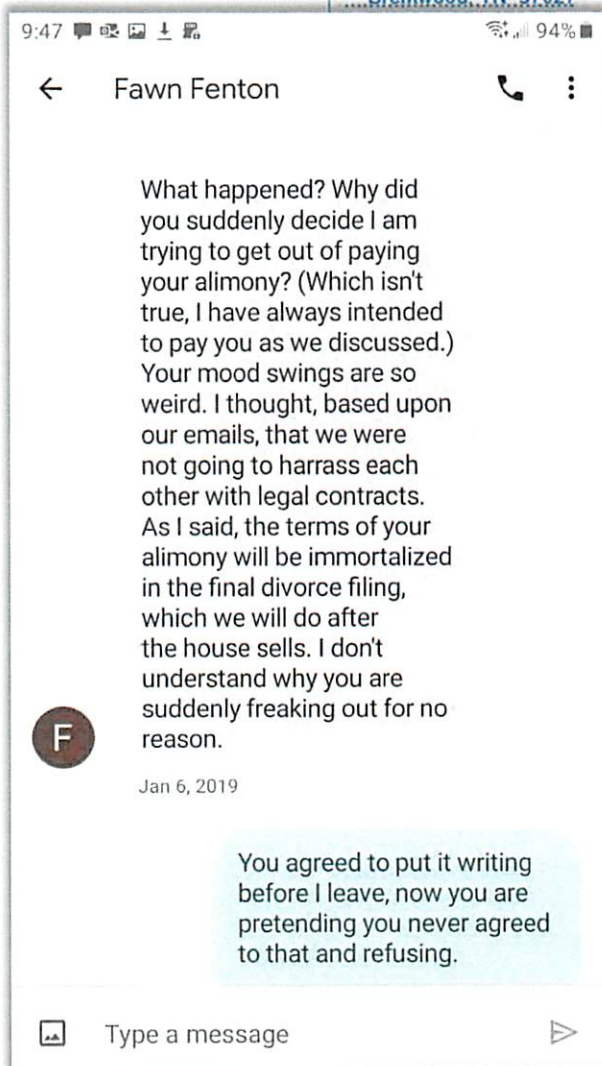
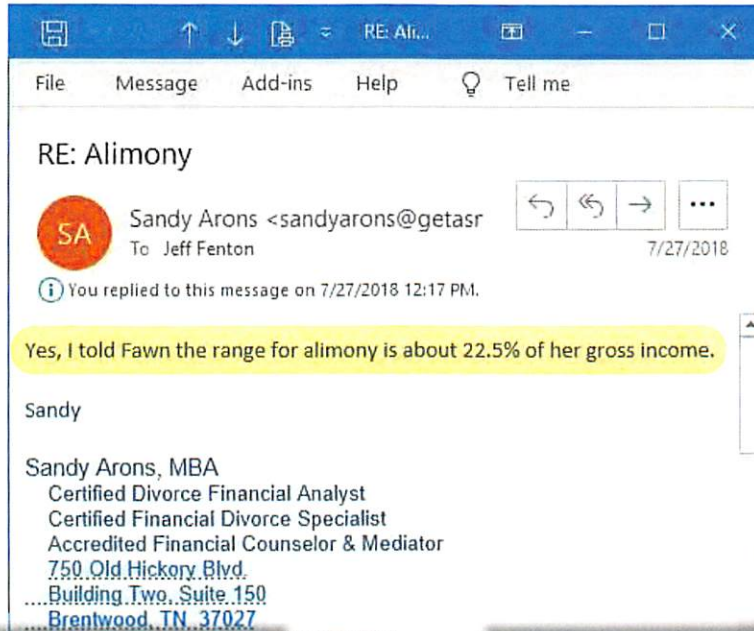
*Arons & Associates*  
 DIVORCE PLANNING  
 Understand the numbers.  
 Secure your future.  
**SANDY ARONS, MBA**  
 Certified Divorce Financial Analyst  
 Certified Financial Divorce Practitioner  
 Certified Financial Divorce Specialist  
 Financial Counselor & Mediator

94%  
 Fawn Fenton  
 Please confirm.  
 Your refusal to communicate would confirm the opposite again, which would result in me needing to divert from packing to prepare for another surprise attack from you legally.  
 Thanks.  
 Jeff  
 Jan 7, 2019  
 I don't know wtf you're talking about, "legal battle". I am not wanting anything to do with lawyers, I can't afford any more, it's a waste of time and money.  
 Regarding leaving a few cameras and wireless etc, I guess that's fine, I don't see why not.  
 F  
 Jan 8, 2019  
 Type a message

**REPEATEDLY AGREED TERMS OF ALIMONY:**  
*Transitional Alimony to be Paid*  
 by Wife to Ex-Husband, in the amount of  
**\$1,750 Per Month for a Duration of Six-Years.**  
**CALCULATED:** at 22%-24% of Primary Breadwinner's Gross Income, for a Term Equal to half the Duration of our Marriage.  
 As we were Advised was "Fair with All Factors Considered" by "Collaborative Divorce" Financial Expert Sandy Arons, MBA.



**+ 2019-01-04 MS. FENTON DEFAULTED ON OUR “VERBAL SETTLEMENT AGREEMENT” to AVOID PAYING ME ALIMONY AS AGREED at 22.5% of Her Gross Income for HALF the TERM of Our Marriage \$1,750 PER MONTH for 6-YEARS Repeatedly PROMISED by Ms. Fenton**



**2018-08-06 I OFFERED TO GIVE MS. FENTON MY EQUITY FOR FREE!  
(Regretfully She Declined)**

OUR HOME (v2.0)

Jeff Fenton  
To: Sandy Arons  
Cc: Fawn Fenton; Fawn Fenton

Mon 8/6/2018 1:26 AM

You forwarded this message on 8/6/2018 1:44 AM.  
This message was sent with High importance.

Hello Sandy,

Fawn came and got our fish today and we discussed OUR HOME some more. Apparently she did not understand before that I was offering to completely forfeit my equity in our home to her, provided that she LIVES in it (not for the purpose of selling the property).

I explained that I am willing to sign a Quit Claim deed, completely transferring ownership of the property to Fawn, with a separate contract specifying ONE stipulation, which is that she continue to RESIDE here at our HOME, as her primary residence, for a period of at least FIVE years.

- In the event that she chooses to put the property on the market, up for sale, transfer ownership of the property, lease or sell it by any means, then she would owe me a flat \$75k for my equity.
- After five years (from the date of divorce or legal separation), she can do whatever she chooses with the home, owing me NOTHING.
- We would EACH be responsible for ALL the debts, in our OWN names, regardless of how we choose to deal with them: filing bankruptcy, paying them, not paying them, it would be each of our OWN business, and not related to any asset/debt computations.

Our personal in agreement writing prior

RE: Financial Considerations to Keep in Mind

Fawn Fenton  
To: Jeff Fenton  
Cc: Sandy Arons

8/23/2018

You replied to this message on 8/23/2018 3:18 PM.

**Fuck no, you are going to have to buy me out.**

From: Jeff Fenton <Jeff@Meticulous.tech>  
Sent: Thursday, August 23, 2018 2:02 PM  
To: Fawn Fenton <fawn.tiffany@outlook.com>  
Cc: Sandy Arons <sandyarons@getasmartdivorce.com>  
Subject: Re: Financial Considerations to Keep in Mind

Nice that you made that choice for me too!

**So are you willing to surrender your equity in this house to me, so that I can try to keep our home, so that all isn't lost?**

Jeff Fenton  
METICULOUS.tech







Home Maintenance Misc.	\$	50.00
Counseling with Terry Huff	\$	200.00
Automobile Gas	\$	90.00
Car Insurance	\$	150.00

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<b>Jeff Other Living Expenses</b>	\$	1,125.00
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Jeff pays these:

Sunnyside Expenses	\$	523.00
Jeff Living Expenses	\$	1,125.00

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Jeff Needs Monthly:	\$	1,648.00
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Rent large bedroom	\$	800.00
Rent corner bedroom	\$	600.00

---

	\$	1,400.00
--	----	----------

need income from somewhere:	\$	248.00
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## Jeff Fenton

---

**From:** Fawn Fenton  
**Sent:** Friday, September 14, 2018 4:39 PM  
**To:** Jeff Fenton  
**Subject:** Offer to settle  
**Attachments:** Offer to Jeff to settle\_9-14-18.docx

Hello,

Attached is my offer to you for settling this divorce as uncontested.

Please consider agreeing to these provisions with minimal changes; this is the absolute most I can offer you.

This writing is not how the final agreement would look, though – we would need to have it reviewed by an attorney (Tommy White, who Sandy recommended, would be good), and we would need to discuss it with a tax professional (Phyllis Ellis?) to make sure the intents are actually doable, and to look for future unintended consequences.

I got your voicemail about BCBST also... I will call and look into that.

Note the timelines I've written in here for signing and filing this with the courts... talking to Sandy (and she talked to Tommy White) they said if we don't get this filed by early October, then it's unlikely to be finalized by the end of the year. We do have some footwork to do (legal, tax, health-care) to check everything, so we need to get going.

Let me know what you think.

Thanks,

Fawn

**Fenton Marital Dissolution Agreement**

Proposed terms as of September 14, 2018, for review.

*THIS AGREEMENT IS BETWEEN Fawn Fenton [wife] and Jeffrey Ryan Fenton [husband], executed in Williamson County, Tennessee.*

*The parties desire to enter into an agreement concerning their rights and obligations arising out of their marriage so that it may be dissolved without a contest. There are irreconcilable differences between them.*

*Each party is aware that a Complaint for Divorce is pending in the court and county noted above.*

*The parties agree by signing this Agreement that they waive service of legal process upon each other. They acknowledge that the filing of an Answer to a Complaint for Divorce will not be required.*

*This Agreement shall be included by either party as a part of a Final Decree of Divorce. Each party has read it in its entirety, agrees that it is fair, and has voluntarily signed it. Husband and wife also agree to sign any further documents that may reasonably be necessary to carry out its intent.*

1. **This offer is only good if we successfully sign this into a Marital Dissolution Agreement Contract as soon as possible AND the divorce Final Order is entered by the court before December 31, 2018.** The financial tax incentives integral to this offer will not apply in 2019, and this Agreement is void if the divorce is not final in 2018.
2. Since we cannot re-finance the Sunnyside mortgages at this time, we must finalize the divorce this year, and simply remain joint owners of the house. (I'm not sure if the deed stays as-is, or if we re-do it as "tenants in common"; need to verify and research tax/income implications. We may want to do a Trust.)
3. We will not transfer any personal debts; the credit card debts in Jeff's name remain solely Jeff's responsibility, and the credit card debts in Fawn's name remain solely Fawn's responsibility. Each party shall hold the other party harmless from any collection actions or other consequences relating to these debts.
4. Jeff may continue to live at the Sunnyside house, as long as the terms of this Agreement continue to be met. Jeff can get roommates and make minor modifications, as long as no actions decrease the value of the property. Jeff will take care of the property and pay for any and all other expenses associated with the Sunnyside house and property, except where specifically noted otherwise below.
5. If this Agreement is signed by both Jeff and Fawn before 5:00 pm on Friday, September 28, 2018, and we are able to submit the completed forms for a "no-fault" divorce based on "irreconcilable differences" to the Williamson County Courts by Friday, October 5, 2018, then Fawn agrees to continue to make the mortgage and utility payments for the Sunnyside house until the end of December, 2018.
  - a. Specifically, Fawn will continue to pay:
    - i. BofA first mortgage
    - ii. Bancorp South second mortgage
    - iii. NES Electric