UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MICHIGAN

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CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: jlg / SCANNED BY: 600 / 107

JEFFREY RYAN FENTON,

PLAINTIFF

v.

VIRGINIA LEE STORY ET AL.,

DEFENDANTS

CASE NO. 1:23-CV-01097

MOTION FOR ALL FILINGS TO BE SUBMITTED UNDER PENALTY OF PERJURY[1]
EXPEDITED CONSIDERATION REQUESTED

Plaintiff brings this motion pursuant to F.R.Civ.P. 11(b) and Article III, Section 1 of the U.S. Constitution, inherent powers of the court. Article III's grant of inherent authority is conventionally understood as permitting a federal court to regulate its own proceedings. Here, litigation is in danger of being multiplied yet again because of the actions of certain defendants. Plaintiff has filed nearly everything signed under penalty of perjury because he has nothing to hide and truly seeks justice.

Defendant Story—and seemingly others—on the other hand, are seeking to thwart justice. This has become evident in the fact that of the fifteen bar individuals served process, *not one* of them has actually signed the return receipt[2] as required by certified U.S. mail with restricted delivery, likely using their knowledge of the rules and procedures combined with local influence over the populace—including postal carriers—in an attempt to stymie and confound Plaintiff.....and justice. It has also become evident in the fact that nearly everything defendant

[1] Citations to the court record in this lawsuit will be notated without the case name or number, using the starting ECF Number, followed by both the beginning and ending Page ID, which is abbreviated as "PID."

[2] See attached exhibit 'A'.

Initials: JRF

Story filed in the Tennessee courts contained factually false or misleading information. This is one of the reasons why she is a defendant in this matter. To allow her to continue would be preposterous. In her very first filing, she has already done so.[3] This has been proved by Plaintiff's COUNTER-AFFIDAVIT filed concurrently.

In the interests of justice, truth, and the most productive use of time and resources by all involved, including the court, Plaintiff is asking this court to require all parties filing any "pleading, written motion, or other paper" that s/he "certifies that to the best of the person's knowledge" the content of each document is in fact true, sworn to under the penalty of perjury, pursuant to 28 U.S. Code § 1746 while also certifying the contents of each document are in compliance with F.R.Civ.P. 11(b) that:

> "(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."

This should reduce future filings in the case because Plaintiff will not have to waste time, energy, and other resources countering many of the false documents that have been filed and are still yet to be filed. It should therefore not only somewhat unburden Plaintiff, but also the court by reducing the potential docket size by perhaps a factor of two or something close. It should also be another step towards justice, not *away* from it.

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[3] ECF 76-1, PID.5076

Initials:

Should any party not file and sign any document pursuant to 28 U.S. Code § 1746, that document should be automatically struck, or otherwise, not require a response from Plaintiff, and the court would not give it any merit. Lastly, Plaintiff is asking the court to make its order retroactive so that any motion to dismiss will also be subject to this order.

CONCLUSION

For the foregoing reasons, this court should require all filings to be submitted and signed pursuant to 28 U.S. Code § 1746 and to make its order retroactive. Plaintiff requests a ruling by October 11, 2024, so that he has sufficient time to reply to DEFENDANTS' VIRGINIA LEE STORY AND STORY AND ABERNATHY, PLLP'S MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(1)(2)(3)(4) & (5) if not mooted by granting this motion.

Executed on October 3, 2024

JEFFREY RYAN FENTON, PRO SE

17195 SILVER PARKWAY, #150
FENTON, MI, 48430-3426
CONTACT@JEFFFENTON.COM
(P) 615.837.1300

CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2024, I am mailing the foregoing papers to the defendants or their counsel, by first class mail, at the addresses below. If for any reason, beyond my control, I am unable to complete this on the date specified, I will mail them on the very next mailing day.

VALERIE HENNING MOCK
WILSON ELSER MOSKOWITZ EDELMAN & DICKER
17197 N LAUREL PARK DR STE 201
LIVONIA, MI 48152-7901

BRIAN JOSEPH GALLAGHER
LENNON MILLER PLC
151 S ROSE ST STE 900
KALAMAZOO, MI 49007-4719

SANDRA J. DENSHAM
PLUNKETT COONEY
333 BRIDGE ST NW STE 530
GRAND RAPIDS, MI 49504-5365

MICHAEL L. GUTIERREZ
BUTZEL LONG PC
300 OTTAWA AVE NW STE 620
GRAND RAPIDS, MI 49503-2308

BRET CHANESS
RUBIN LUBLIN, LLC
3145 AVALON RIDGE PL STE 100
PEACHTREE CORNERS, GA 30071-1570

ALAN RHENEY
SPRAGINS, BARNETT & COBB, PLC
312 E LAFAYETTE ST
JACKSON, TN 38301-6220

BANK OF AMERICA, N.A.
ATTN: OFFICER, MANAGER, OR AGENT
4909 SAVARESE CIR
TAMPA, FL 33634-2413

MARY BETH AUSBROOKS
ROTHSCHILD & AUSBROOKS, PLLC
110 GLANCY ST STE 109
GOODLETTSVILLE, TN 37072-2314

https://rico.jefffenton.com/evidence/2024-10-03-motion-all-filings-be-under-penalty-of-perjury.pdf Case 1:23-cv-01097-PLM-RSK (FENTON v. STORY et al.)

R L MOORE
BANKERS TITLE & ESCROW CORPORATION
3310 WEST END AVE STE 540
NASHVILLE, TN 37203-6802

CARL A NEUHOFF, JR.
HOSTETTLER, NEUHOFF & DAVIS, LLC
421 E IRIS DR STE 300
NASHVILLE, TN 37204-3140

KATHRYN LYNN YARBROUGH
408 PREAKNESS DR
THOMPSONS STATION, TN 37179-5238

ALEXANDER SERGEY KOVAL
281 PARAGON MILLS RD
NASHVILLE, TN 37211-4034

HENRY EDWARD HILDEBRAND III
217 LAUDERDALE RD
NASHVILLE, TN 37205-1821

CHARLES M. WALKER
1925B WARFIELD DR
NASHVILLE, TN 37215-3422

THOMAS E. ANDERSON
215 GLENSTONE CIR
BRENTWOOD, TN 37027-3916

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ELECTRONIC SERVICE OPTIONS

This document will also be available on the Internet, on my list[1] of documents filed by myself in this lawsuit, since the release of my lawsuit service package[2].

Executed on October 4, 2024

JEFFREY RYAN FENTON, PRO SE

17195 SILVER PARKWAY, #150
FENTON, MI, 48430-3426
CONTACT@JEFFFENTON.COM
(P) 615.837.1300

[1] https://jefffenton.com/digital-service-package-for-lawsuit/fenton-filings-since-service/

[2] https://jefffenton.com/digital-service-package-for-lawsuit/
ECF 69, PID.5030-5042 | https://rico.jefffenton.com/evidence/1-23-cv-01097_fenton-vs-story-lawsuit-service-pack-details.pdf

https://rico.jefffenton.com/evidence/2024-10-03-motion-all-filings-be-under-penalty-of-perjury.pdf Case 1:23-cv-01097-PLM-RSK (FENTON v. STORY et al.)