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U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
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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

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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[1] 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[2] 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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[1] https://rico.jefffenton.com/evidence/2019-07-26_attorney-gates-failed-to-perform.pdf

[2] This counts business days only, there was one weekend.

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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[3] 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

[3] https://rico.jefffenton.com/evidence/2019-08-02_attorneys-miller-duke-retainer-exhausted.pdf

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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.

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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

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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

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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

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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).[4]

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[5] have been repeatedly provided to attorney Story as well as to the courts[6], stressing that Jeffrey must work from home; however, he is unable to do

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[4] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-38, PageID.2032-2045

[5] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-38, PageID.2042-2045

[6] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.2000

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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[7], 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[8] 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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[7] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1679-1681

[8] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.655-656

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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[9] 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,[10] 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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[9] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-14, PageID.597 ~ ECF No. 1-16, PageID.640

[10] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1771-1792

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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[11] 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[12] for 6 years.

[11] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.655-656

[12] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1933-1943

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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.[13] 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[14] 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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[13] https://www.rico.jefffenton.com/evidence/2018-10-27_verbal-settlement-agreement.pdf

[14] 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

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65. There is a personal testimony[15] 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.[16] 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.[17] 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."*[18] I find it impossible to believe that Jeffrey's ex-wife, who is a highly skilled gun safety instructor,[19] who has her own arsenal of custom guns, who is a lifetime

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[15] 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.1805-1806)

[16] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.661-662

[17] https://rico.jefffenton.com/evidence/2019-01-22_wifes-birthday-and-counseling-together.pdf

[18] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.661

[19] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-31, PageID.1794 ~ ECF No. 1-33, PageID.1873

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NRA member, and who has better training than most police officers,[20] 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

[20] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-20, PageID.955 ~ ECF No. 1-21, PageID.994

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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

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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[21], 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[22] 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,[23] 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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[21] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1435-1444

[22] https://rico.jefffenton.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)

[23] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.655-678

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payments and secretly filed for bankruptcy[24] without even telling Jeffrey.[25]

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[26] 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.[27]

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.[28]

93. It is plain to me that Jeffrey's ex-wife filed bankruptcy to force the sale of the marital residence[29] 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[30] co-owner.[31]

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[24] https://rico.jefffenton.com/evidence/2019-04-26_wifes-ch13-petition-3-19-bk-02693.pdf

[25] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1760-1761

[26] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.661

[27] https://rico.jefffenton.com/evidence/2019-01-28_verbal-agreement-needed-in-writing-for-closing.pdf

[28] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.661

[29] https://rico.jefffenton.com/evidence/2018-10-09_wife-does-not-want-to-keep-marital-residence.pdf

[30] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.541-542

[31] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1416-1430

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94. Jeffrey was in possession of the marital residence[32] 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[33] 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,[34] which hopefully someone will consider, that

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[32] https://rico.jefffenton.com/evidence/2019-06-11_plaintiff-transferred-utilities.pdf

[33] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.507-510

[34] https://rico.jefffenton.com/evidence/2021-01-26_trustees-final-account-and-distribution-report.pdf

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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"[35] 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.[36]

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.[37] 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[38] 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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[35] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1883-1890

[36] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1883-1890

[37] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-27, PageID.1444

[38] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.501-506

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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.[39] 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[40] and family vacations hosted by her attorney.[41]

110. It seems amazing how quickly their house was auctioned, without any apparent signs on the street.

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[39] https://rico.jefffenton.com/evidence/2019-02-05_narcolepsy-menopause-and-stalking-not.pdf

[40] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-14, PageID.597 ~ ECF No. 1-15, PageID.620

[41] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-15, PageID.621-626

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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.[42]

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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[42] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.501-506

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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[43] 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***

[43] https://rico.jefffenton.com/evidence/2019-01-22_wifes-birthday-and-counseling-together.pdf

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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 to 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.[44]

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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[44] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-31, PageID.1814 ~ ECF No. 1-32, PageID.1836

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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[45] 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

[45] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038

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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

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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.

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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[46] when his office lease expired and he would close down their firm.[47] Obviously, there would be no "issues" with any "employer" or "clients" then. This is confirmed in a letter provided in court by attorney Story[48] 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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[46] https://rico.jefffenton.com/evidence/2019-08-14_bankrupcy-planned-for-when-employer-retires.pdf

[47] 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)

[48] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.765

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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.[49]

156. I have read the email. Jeffrey stated in it: "You break my heart! You absolutely

[49] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-17, PageID.673-675

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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.

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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[50] 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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[50] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1760-1761

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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[51] for his ex-wife from the FBI[52] and the DOJ/USTP[53] 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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[51] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1682-1684

[52] 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

[53] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1758-1761

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back to Michigan. Several big-ticket items in his home had been stolen[54], 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.[55]

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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[54] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.559-562

[55] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-16, PageID.630-635

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repeatedly.[56]

180. An email sent to Jeffrey from auctioneer Tommy Anderson on October 6th, 2019, stated[57], "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[58].

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.[59]

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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[56] https://rico.jefffenton.com/evidence/2019-10-06-harassing-threatening-stalking-spying.pdf

[57] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-16, PageID.633

[58] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-16, PageID.635

[59] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-16, PageID.630-635

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186. Even after Jeffrey and I were back in Michigan, I kept my front drapes closed and no longer answer the door.[60] 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.[61]

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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[60] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1762-1765

[61] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-13, PageID.557-558

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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

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for a little over $320,000 is now worth approximately $900,000.[62] Because of its location,[63] 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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[62] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.485

[63] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-12, PageID.494-500

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1 ¼ pages of the documentation[64] 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[65] between his two transcripts[66] 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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[64] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-31, PageID.1805-1806

[65] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1925 ~ ECF No. 1-36, PageID.2006

[66] 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-audio-recording.mp3

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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[67] 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[68] 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,[69] the Tennessee Supreme Court,[70] as well as the Administrative Office of the Courts[71] and the Board of Professional Responsibility,[72] that is the clear difference between what

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[67] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1874-1924

[68] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-2, PageID.49-53

[69] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1704-1707

[70] 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

[71] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1704-1707

[72] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-29, PageID.1698-1715

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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.[73]

216. By comparing both the 8/1/2019[74] and the 8/29/2019[75] transcripts of evidence, while also listening to the recorded audio[76] 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,[77] while he still had counsel to help protect him.

218. On page 6 of the transcript[78], 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[79], 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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[73] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1925 ~ ECF No. 1-36, PageID.2006

[74] https://rico.jefffenton.com/evidence/2019-08-01_chancery-hearing-transcript.pdf

[75] https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-transcript-audio-markers.pdf

[76] https://rico.jefffenton.com/evidence/2019-08-29_chancery-hearing-audio-recording.mp3

[77] https://rico.jefffenton.com/evidence/2019-08-01_chancery-hearing-transcript.pdf

[78] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1160

[79] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1161-1162

Initials: MF

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[80], 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 16th, 2019 Ms. Story sent Jeffrey a letter[81] 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 26th, 2019, Attorney Story sent Jeffrey a letter[82] demanding $3,534 no later than October 2nd. 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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80 Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1162

81 https://rico.jefffenton.com/evidence/2019-09-16_story-letter-demanding-two-grand-for-storage.pdf

82 https://rico.jefffenton.com/evidence/2019-09-26_story-letter-demanding-thirty-five-hundred.pdf

Initials: MF

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[83], 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[84], 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

[83] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1161-1162

[84] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1178

Initials: MF

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[85] on October 21st, 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[86] 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

[85] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1986

[86] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1986

Initials: MF

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[87] 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[88], while Attorney Story's affidavit is recorded directly preceding at page 411.[89]

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[90]:

- 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.[91]

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[87] 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

[88] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1070-1073

[89] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1069

[90] 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

[91] 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

Initials: MF

- I will never communicate with Virginia Story or anyone from her firm, ever again. Regardless of the consequences.[92]
- **IF she will drop all charges and never contact me again**, then I will likewise drop my 250 page counter motion set for October 21st.[93]
- 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.**[94]
- I would and will never hurt you or those you love in any way. Despite what they cost me.[95]
- I will always love you! I leave only with tremendous sadness, nothing more.[96]
- 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.[97]

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92 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

93 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

94 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

95 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

96 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

97 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

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- If I never hear from Ms. Story or her staff or court, then I'm done, and I surrender all.[98]
- I will always love you![99]
- I'm so sorry![100]
- 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.[101]
- It is my kiss on the cheek goodbye! Please kiss and hug my puppy for me.[102]
- 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.[103]
- I will never be in Tennessee again. You never have ANYTHING to fear from me![104]
- Goodbye Fawn! Love, J.F.[105]

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98 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

99 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

100 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

101 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

102 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

103 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

104 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

105 Case 1:23-cv-01097-PLM-RSK, ECF No. 1-23, PageID.1073

Initials: MF

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[106] 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

[106] https://www.tncourts.gov/help-center/court-approved-divorce-forms

Initials: MF

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*[107] (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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[107] https://rico.jefffenton.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

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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"[108], while Jeffrey was denied notice by the bankruptcy court[109] 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[110] 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 4th 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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[108] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1951-1953

[109] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1760-1761

[110] https://rico.jefffenton.com/evidence/2019-08-02_attorneys-miller-duke-retainer-exhausted.pdf

Initials: MJ

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.

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258. Here is an excerpt from the 8/29/2019 hearing in Chancery Court, from the Transcript of Evidence[111], 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[112], 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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[111] 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

[112] 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

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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

Initials: MF

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[113], 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

[113] https://rico.jefffenton.com/evidence/2019-08-29_husbands-one-and-done-answer-to-all.pdf

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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 21st.[114]"

269. Jeffrey was of the understanding that this October 21st hearing was finally his opportunity for all of his evidence and counter-claims (included in his "One and Done"[115]) 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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[114] 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

[115] https://rico.jefffenton.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)

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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[116] 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

[116] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038

Initials: MJ

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[117] from Nashville seems to agree.

281. Jeffrey has told me that in his research the title of a document does not dictate its

[117] https://rico.jefffenton.com/evidence/2017-04-10_usdc-tnmd-fisher-v-gates-pro-se-report.pdf

Initials: MJ

purpose, but rather the "relief requested" indicates the purpose of a pleading.

282. The "relief requested" in Jeffrey's "One and Done"[118] 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 5th 2019, Jeffrey emailed his attorney Charles (Marty) Duke, and asked,

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[118] https://rico.jefffenton.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)

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"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,[119] "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 *prose.***"

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

[119] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1998

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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

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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"[120].

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

[120] https://rico.jefffenton.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)

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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"[121] 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."

[121] https://rico.jefffenton.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)

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- 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[122] 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"[123] 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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[122] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1749-1752

[123] https://rico.jefffenton.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)

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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 21st, 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[124], "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 retore 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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[124] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1993

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313. The FINAL DECREE OF DIVORCE[125] 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,[126] and his second counsel used up all his funds and part of mine during the first hearing.[127] 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[128] 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[129], 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,[130] 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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[125] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1994-1997

[126] https://rico.jefffenton.com/evidence/2019-07-26_attorney-gates-failed-to-perform.pdf

[127] https://rico.jefffenton.com/evidence/2019-08-02_attorneys-miller-duke-retainer-exhausted.pdf

[128] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1994-1997

[129] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038

[130] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1998

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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[131] 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[132] 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[133].....nor provide him with a final fully executed HUD-1[134] 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[135]" filed by

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[131] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-36, PageID.1994-1997

[132] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-18, PageID.766 ~ ECF No. 1-22, PageID.1038

[133] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-30, PageID.1760-1761

[134] 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

[135] https://rico.jefffenton.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)

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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,[136] "...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[137], "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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[136] 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)

[137] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-24, PageID.1202

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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[138] 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

[138] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-34, PageID.1882, 1891-1892

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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[139], 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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[139] 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

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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

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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.

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Especially 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. **Especially** 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

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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?**

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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*

17195 SILVER PARKWAY, #150
FENTON, MI, 48430-3426
JEFF.FENTON@LIVE.COM
(P) 615.837.1300
(F) 810.255.4438

Initials: MJ