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U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
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UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN

JEFFREY RYAN FENTON,
Plaintiff

v.

VIRGINIA LEE STORY et al.,
Defendants

CASE NO. 1:23-cv-1097

MOTION FOR A PROTECTIVE ORDER

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

DEFENDANT HAS ISSUED/EXTENDED ORDERS OF PROTECTION AGAINST PLAINTIFF

Defendant Binkley previously issued an order of protection against Plaintiff—and then later extended it—without Plaintiff ever being given the opportunity to dispute the allegations giving rise to the protective order, in violation of due process and T.C.A. § 36-3-605, which, along with T.C.A. § 36-3-608, was further violated since the extension far exceed one year.[1] [2] The protective order was also issued and extended in violation of Tennessee settled law. "A respondent deserves a meaningful due process opportunity to present his or her case." See *Luker v. Luker*, 578 S.W.3d 450, 2018 WL 4182312, 2018 Tenn. App. LEXIS 508 (Tenn. Ct. App. 2018)[3] Indeed, the relief requested in the complaint filed in this case pertains to said protective orders being vacated and expunged.

Because the protective order was extended against Plaintiff when he filed an appeal in the Tennessee Court of Appeals, upon information and belief, defendant Binkley or other defendants may try

[1] https://law.justia.com/codes/tennessee/2010/title-36/chapter-3/part-6/36-3-605/
[2] https://law.justia.com/codes/tennessee/2010/title-36/chapter-3/part-6/36-3-608/
[3] https://www.tncourts.gov/sites/default/files/luker.amy_.opn_.pdf

to issue additional protective or restraining orders against Plaintiff to gain leverage in this matter just as they did in the matters in the Tennessee state courts and to further burden Plaintiff with additional years of not being able to obtain meaningful employment.

In the interest of justice—which involves allowing Plaintiff to collect and study evidence, gather information during discovery, and make his case at trial—it is imperative that the defendants are not allowed to continue to stymie Plaintiff and derail due process. Note that this motion does not include a "certification that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute without court action" because the defendants have not yet been served process and are not even aware of this action, which, again, itself concerns issues of illicit protective orders being issued against Plaintiff.

DEFENDANT HAS EXPLOITED PLAINTIFF'S DISABILITY

Some defendants were part of a secret bankruptcy filed by a third party that impacted Plaintiff since he had a financial interest (tenancy by the entirety) in his house, which he was forced to auction under direction of other defendants—who did not have authorization or jurisdiction to auction the home—but that what part of the bankruptcy estate. Plaintiff was denied due process because he was never given notice of this proceeding or afforded the opportunity to save his home or other assets. Plaintiff coincidentally discovered the bankruptcy on his own and was simultaneously hit with a divorce proceeding, an *ex parte* order of protection, and the forced auction of his residence.

A plethora of laws and rights were violated by the defendants, but they also exploited Plaintiff's disability. He has been diagnosed with ADHD (meaning he cannot multi-task, is often repetitive, misses important points, cannot explain his thoughts well in writing, and has extreme difficulty with concise technical and legal writing), OCPD (rendering him extremely slow to accomplish things, such as self-education about the legal system and completing assignments). The defendants know about these disabilities because Plaintiff has fully disclosed them, and they previously targeted and attacked him by

intentionally overwhelming him with multiple actions—all of them perpetrated and perpetuated by fraud and/or constitutional violations—purely for a strategic advantage.

1. DECLARATIONS OF SWORN TESTIMONY WITH SUPPORTING EVIDENCE TO PROVE THE REQUESTS HEREIN OR MADE IN GOOD FAITH & IN THE INTEREST OF JUSTICE

2. "DECLARATION OF IRREFUTABLE PROOF OF A CRIMINAL CONSPIRACY SPANNING STATE AND FEDERAL COURTS" (filed 1/19/24).

3. "DECLARATION ABOUT PHONE CALL WITH TRUSTEE JOHN MCLEMORE" (filed 1/19/24).

4. "DECLARATION OF MARSHA ANN FENTON REGARDING SON JEFFREY RYAN FENTON AND TENNESSEE LEGAL PROCEEDINGS" (filed 1/19/2024).

5. "MEMORANDUM OF LAW REGARDING COURT ACTIONS IN TENNESSEE" (filed 1/19/24).

6. Testimony in Evidence Booklet: ""ORDER OF PROTECTION" AS AN ILLEGAL "PRIOR RESTRAINT"" Appendix-15 Rev. 1/16/24" (filed 1/19/2024).

I Jeffrey Ryan Fenton swear under the penalty of perjury that due to the extreme nature of the fraud committed against me, I honestly do not know how to communicate the depth and breadth of the damages by the member of the Tennessee Courts, in a believable matter, while not sounding offensive.

Since the parties in my case who have lied and committed fraud on the court, include not just my opposing counsel, but the judge and the clerks therein, I don't know how to bolster my credibility to simply have my testimony heard even semi-equally while having anyone entertain a word of it being true. Not due to what is true or false, but simply based upon the power of the people testifying. Despite truth being my #1 value in life, and one of the primary reasons that I cannot move forward in life with these lies against my person, my rights, and my name.

For that reason, I have designed many booklets which I refer to as my "testimony in evidence", which are filed in this case. In those I try to use graphic arts in an attempt to compensate for my communication disabilities, hoping to bridge the gap in what I honestly don't know how to clearly articulate in a manner which is not offensive, which has a chance at being believed. Without sounding "disrespectful" or "disparaging" of the court, thereby losing all value in my testimony.

I long ago learned that my word meant nothing to the courts (considering who I am up against), so I needed to try to testify in line to the absurd fraud line by line, throughout every action to date, to whatever extent I can. That has been the primary purpose of the graphics and art in my court filings.

I have a vocational background in commercial printing and graphic arts, so I have tried to use my skills to SHOW what I am still unable to say in a way which will win the support I clearly need to ever have a chance to litigate this case.

Again, this is not to be offensive in any way, it is in my desperate attempt to show the court the truth. I'm trying to prove my case with clear and convincing evidence, in line with the fraud against me and in line with my testimony.

I'm sorry they didn't treat me like a person. I'm sorry they didn't honor their oaths of office. I'm sorry they acted so disrespectful of both the courts, the rule of law, my life, and my liberty. Unfortunately, I have no control over any of that. I am literally doing everything within my power to try to seek a cure by which I can survive a life of dignity and respect, as I have always lived.

I wish so much more than you, that I never needed to pursue this path.

Due to the depth and breadth of the fraud against me, and the absurd number of powerful members of the court which I have been forced to try to defend myself against, I cannot swear that every word I have written in these booklets is 100% fact, under the penalty of perjury, because there has been a learning curve, and though I have discovered and learned an obscene amount, I have not been right in every instance.

I will swear under the penalty of perjury that none of the markup in my booklets is for any improper purpose, even if the court is unable to understand a good faith purpose at this point. It is not my fault that I need to correct and defend against so much. A significant portion of which the court needs not take my word for, but I have provided irrefutable evidence of the foul play and criminal misconduct of the preceding courts, while trying to keep such evidence nearby my testimony, in an attempt to ease the connection.

I will also swear under the penalty of perjury, that roughly 90%+ of my graphics, art, typed narrative throughout booklets of my "testimony in evidence" filed in this court record, is factually correct. I swear under the penalty of perjury that there is no other more factual expression of truth throughout either of the preceding court cases, in everything filed by the defendant in both state and federal cases.

I further swear under the penalty of perjury, that my typed comments, markup, and graphics throughout my filings in this court, can be taken as my sworn testimony, provided I granted up to a 10% error margin. Meaning it is the most accurate, clear, concise, and in fact true testimony by any party in both of the preceding case dockets.

I pray this court can and will finally hear me and provide me with even handed justice and lawful protection from further abuse by the defendants in this case.

They will outperform me on every technical front, but they are gaming the court while using the courts for criminal deprivation, which despite any technical abilities to play the game, is worthy of no honor, respect, or advantage over a party merely trying to survive and get back what has been stolen from him.

They will cite a few rules they can try to cripple my case with, while ignoring the bulk of the court rules which say that all pleadings must seek justice, to act honestly, fairly, in good faith, while honoring both their oaths and their offices.

CONCLUSION

Plaintiff asks this court to enjoin defendants from issuing protective or restraining orders against him until this matter is fully litigated, including at the appellate level, if necessary. Plaintiff further requests this court to stay and/or vacate any such existing orders against Plaintiff to the extent that they would prevent him from litigating this matter. The existing protective order along with Plaintiff's sworn testimony are included in his "ORDER OF PROTECTION" AS AN ILLEGAL "PRIOR RESTRAINT" Appendix-15 Rev. 1/16/24" (filed 1/19/2024).

Finally, because of his mental disabilities, Plaintiff request this court to enjoin defendants from filing frivolous matters against him and to restrict their litigious activities to the instant matter until its conclusion, notwithstanding the typical aspects of any civil proceeding: filing an answer, a reply, motions, and other pleadings and papers strictly related to this action.

January 19, 2024

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