IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JEFFREY RYAN FENTON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO.: 3:24-cv-01282
	)	CHIEF JUDGE CAMPBELL
VIRGINIA LEE STORY, et al.,	)	MAGISTRATE JUDGE HOLMES
	)	
Defendants.	)	

DEFENDANT HONORABLE CHARLES WALKER'S
MOTION TO ASCERTAIN STATUS

Defendant, the Honorable Charles Walker (Judge Walker), by and through the United States Attorney for the Middle District of Tennessee and the undersigned Assistant United States Attorney, files this Motion to Ascertain Status pursuant to Local Rule 7.01(c), stating as follows:

This case was originally filed in the Western District of Michigan in October 2023 but was transferred to the Middle District of Tennessee on October 25, 2024. *See* ECF Nos. 127, 131. The case was assigned to Judge Campbell, but on November 7, 2024, he recused himself and noted that all other judges in this District would be recused. ECF No. 165. Accordingly, a district judge from outside this District will be designated by the Sixth Circuit Court of Appeals. *Id*.

On November 13, 2024, Judge Walker filed a Motion to Dismiss and Supporting Memorandum of Law, accompanied by a request for expedited consideration and an emergency hearing. ECF No. 167-168. The transfer to this District presents novel issues and urgency for Judge Walker, a bankruptcy judge for the Middle District of Tennessee. Judge Walker along with the standing Chapter 13 trustee and several attorneys who routinely practice in bankruptcy court

are co-defendants, which could create potential conflicts or other issues that may impact Judge Walker's ability to perform his duties.

To date, this case has not been reassigned to another district judge and Judge Walker's emergency motion remains pending. For these reasons, Judge Walker requests a status update and renews his request for expedited relief.

Respectfully submitted,

ROBERT E. MCGUIRE
Acting United States Attorney
Middle District of Tennessee

s/ Anica C. Jones
ANICA C. JONES, B.P.R. # 025325
Assistant United States Attorney
719 Church Street, Suite 3300
Nashville, TN 37203
Telephone: (615) 736-5151
Email: anica.jones@usdoj.gov
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on February 5, 2025, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following, if registered, by operation of the Court's electronic filing system. If not registered, notice was sent by First Class, United States mail, postage prepaid, to the following:

Jeffrey Ryan Fenton 17195 Silver Parkway #150 Fenton, MI 48430	Valerie Henning Mock Wilson Elser Moskowitz Edelman & Dicker LLP (Livonia) 17197 N Laurel Park Drive, Ste. 201 Livonia, MI 48152
Brian Joseph Gallagher Lennon Miller PLC 151 S Rose Street, Ste. 900 Kalamazoo, MI 49007	Peako Andrea Jenkins Tennessee Attorney General's Office P.O. Box 20207 Nashville, TN 37202-0207
Sandra J. Densham Plunkett Cooney (Grand Rapids) 333 Bridge Street, NW, Ste. 530 Grand Rapids, MI 49504	Thomas E. Anderson 1187 Old Hickory Blvd., Ste. 125 Brentwood, TN 37027
Laura C. Baucus Dykema Gossett PLLC (Bloomfield Hills) 39577 Woodward Avenue, Ste. 300 Bloomfield Hills, MI 48304	Bret Chaness Rubin Lublin, LLC 3145 Avalon Ridge Place, Ste 100 Peachtree Corners, GA 30071
Benjamin E. Goldammer Danica G Suedekum Kay Griffin, PLLC 222 Second Avenue North, Suite 340-M Nashville, TN 37201	Michael L. Gutierrez Tyler A. Burk Butzel Long PC (GR) 300 Ottawa Avenue, NW, Ste. 620 Grand Rapids, MI 49503
Dawn Nicole Williams Dykema Gossett PLLC (Lansing) Capitol View Bldg. 201 Townsend Street, Ste. 900 Lansing, MI 48933	Carolina V. Martin Gordon & Rees Scully Mansukhani LLP 4031 Aspen Grove Drive, Suite 290 Franklin, TN 37067
Anthony M. Noel Leitner, Williams, Dooley, and Napolitan, PLLC 750 Old Hickory Boulevard Building One, Suite 200 Brentwood, TN 37027	Gregory Brown Lowe Yeager & Brown PLLC 920 Volunteer Landing, Suite 200 Knoxville, TN 37915

Megan R. Calme Wilson Elser Moskowitz Edelman & Dicker, LLP 3102 West End Avenue, Suite 400 Nashville, TN 37203	George H. Cate , III Bradley Arant Boult Cummings LLP (Nashville, TN Office) 1221 Broadway, Suite 2400 Nashville, TN 37203

s/ Anica C. Jones
ANICA C. JONES
Assistant United States Attorney