UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MICHIGAN

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CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: eod FILED BY: 03/25

JEFFREY RYAN FENTON, PLAINTIFF v. VIRGINIA LEE STORY ET AL., DEFENDANTS	CASE NO. 1:23-cv-1097

FENTON DECLARATION OF DISABILITIES

Plaintiff brings this testimony pursuant to 28 U.S. Code § 1746.

I, Jeffrey Ryan Fenton, declare under oath as follows:

1. My name is Jeffrey Ryan Fenton.
2. I am the Plaintiff in this federal lawsuit (CASE NO. 1:23-cv-1097).
3. I am a citizen of the United States of America.
4. I was born in 1969 at Fairchild Airforce Base, in Washington State.
5. I am domiciled in Genesee County, Michigan.
6. My mailing address is 17195 Silver Parkway, #150, Fenton, MI 48430-3426.
7. My phone number is (615) 837-1300.

Initials: JRF

PRO SE LITIGANT – MERITS RULE OVER TECHNICALITIES

8. I am acting in a *pro se*[1] capacity in this lawsuit, due to my poverty, entitled to a liberal reading and less stringent standards since it was prepared without assistance of counsel. See *Haines v. Kerner, et al.*, 404 U.S. 519, 92 S. Ct. 594 (1972).

QUALIFIED AMERICAN WITH DISABILITIES ACT LITIGANT

9. I am a qualified ADA party with disabilities affecting my communication and cognitive functions, which make researching and drafting legal pleadings exceptionally slow and challenging.

10. I request any considerations which the court can allow to help me participate in, be protected by, and benefit from the federal judiciary.

11. I suffer from several cognitive disabilities: Obsessive-Compulsive Personality Disorder (OCPD) DSM-5 301.4 (F60.5), Generalized Anxiety Disorder (GAD) DSM-5 300.02 (F4L1), Attention-Deficit Hyperactivity Disorder (ADHD) DSM-5 314.01 (F90.2), Circadian Rhythm Sleep Disorder (CRSD) Non-24-Hour Sleep-Wake Disorder (Non-24) DSM-5 307.45 (G47.24).

12. Medications that I take regularly can only control these afflictions, not cure them.

13. Due to my disabilities, it is extremely difficult for me to concisely write long documents without losing focus and experiencing significant sprawl, causing repetition, countless

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[1] Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1960

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rewrites, and bloated documents. For this reason, I am trying to file multiple short declarations to concisely address specific topics, to help communicate more effectively, for the benefit of all parties.

DECLARATIONS INCLUDED BY REFERENCE HEREIN AND THROUGHOUT

14. To increase efficiency while reducing redundancy in this lawsuit, this declaration and the facts herein are made a part of every other declaration written by me in this lawsuit, which is included, named, or referenced in my "Fenton Master Declaration and List of Declarations to Date[2]".

15. Similarly, every declaration and the facts therein written by me and mentioned in my "Fenton Master Declaration and List of Declarations to Date" are incorporated herein by reference and made a part of this declaration.

16. My "Fenton Master Declaration and List of Declarations to Date" will be periodically updated both in court and online, to have the most comprehensive and complete set of facts available in this case.

17. As a result of my disabilities, my principal loss of cognitive function is that I'm extremely slow in performing any significant and/or challenging task. Further exacerbated by an inability to effectively "multi-task" high-value projects, meet pressing demands, or lose all that I love in my life as a consequence.

18. Deadlines are extremely stressful, and often even frantic for me. Typically, the final

[2] https://rico.jefffenton.com/evidence/fenton-master-declaration-and-list-of-declarations-to-date.pdf

48-hours before a critical court deadline, I become extremely anxious, my mind starts racing and my thoughts become fragmented. To explain how it feels, I'd compare it to standing outside in the middle of a blizzard. I can completely forget what I'm working on and get lost in the multiple windows on my computer screen, to no avail.

19. It is common for me to rewrite pleadings for the court 50+ times, in an attempt to communicate the depth and the breadth of the cruel, fraudulent, criminal, and unconstitutional damages which I have experienced to date, because so far, it doesn't appear that a single word of my testimony on Court records has ever been used to my benefit.

MY HIGHEST VALUES: TRUTH & AUTHENTICITY

20. TRUTH is my highest value in life.

21. AUTHENTICITY is my second highest value. (Which I define as truth in relationships.)

MY PSYCHOLOGICAL BENT TOWARDS TRUTH DESPITE THE CONSEQUENCES

22. By the clinical definitions of Obsessive-Compulsive Personality Disorder, one of my most defining disabilities, coupled with my personal values and belief system, I am far more likely to be honest and tell the truth **regardless of the consequences to myself** or anyone else, than most people in society.

23. Therefore, the fact that not one court to date has used one word of my testimony to my benefit outside the court process itself, is not only unconstitutional and wreaks of foul play, but it is also purely **illogical**, because I bring the most reliable, uncompromised, unadulterated, and

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trustworthy testimony regarding the preceding Tennessee litigation. Whether the court accepts that or not, that is a psychological fact about who I am.

24. On top of that, I have gone to great pains to provide the courts with a wealth of evidence by which to substantiate my testimony, beyond any reasonable margin of error.

25. According to Merck Manuals Professional Edition (online), in their section of psychiatric disorders, they state the following[3] about "Obsessive-Compulsive Personality Disorder", which I have been accurately diagnosed[4] with and suffer from:

26. *"Obsessive-compulsive personality disorder is characterized by a pervasive preoccupation with orderliness, perfectionism, and control (with no room for flexibility) that ultimately slows or interferes with completing a task."*

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

28. Ironically, I'm the one who honors and submits to the law by psychological disorder.

29. Show me someone else in this group who is honestly "overzealous, picky, and rigid about issues of morality, ethics, and values".

30. That is me, and I'm tired of my testimony being ignored, while my life has been destroyed by repugnant lies which could never survive cross examination.

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[3] https://rico.jefffenton.com/evidence/tn-ada-disabilities-exploited-for-advantage-ocpd-merck.pdf

[4] https://rico.jefffenton.com/evidence/2020-07-08_tnsc-coa-ada-request-for-modification.pdf

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31. Which is exactly why Chancery Court cast fraudulent "default" judgements against me, after driving me out of Tennessee to survive their harsh bias orders, instead of allowing "discovery" to begin and having the court hear and decide anything at all based upon the truth.

32. I have over 500 pages of sworn testimony, combined with clear and convincing evidence, on Court record in Williamson County Chancery Court, and roughly another 500 pages of filings in the Tennessee Court of Appeals, middle division, while to date I have not seen that a single word of those thousand plus pages of testimony and evidence have been used to my benefit.

33. To date, my life has been completely destroyed and rendered unmanageable for over four years by the unsolicitous, cruel, and criminal actions of the defendants, acting under color of law, while failing to comply with state and federal constitutions, in clear violation of both state and federal laws, without exhibiting any care or concern for my inalienable natural rights, the judicial canons, the federal rules of civil procedure, or the State of Tennessee's Rules of both Judicial and Professional Conduct.

34. I have had to spend four years studying the law, simply in an effort to survive a divorce with no children, where the illegal schemes by the courts and counsel have been so repugnant of the law and human decency, that to date not one person has defended the actions in the preceding matters based upon the true merits, the honest facts, or any findings of state or federal law.

35. Every party has merely refused to hear my testimony and intervene, to help the obviously injured party.

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36. As if they believe that the state of Tennessee has the right to continue to destroy my life, deprive my property and my constitutional rights, without equal and due process of law.

37. After they have literally discarded me from the state of Tennessee like rubbish, onto the welfare rolls of the State of Michigan, as if they could possibly retain any lawful jurisdiction or authority by which to **harm me further**, short of a criminal charge and full equal and due process of law. That is obscene.

38. The defendants in this case have reversed the lawful burden of proof onto me in an obscene and overwhelming capacity, because so many powerful and respected people have turned their heads and allowed two bad actors in the Chancery Court to get away with unconscionable criminal racketeering. While their families have been involved in misconduct through the courts for decades.

39. Unless someone in a position of authority hears my testimony and tests my facts to find them true, who then applies the law to the truth, my life will continue to spin out of control while I'll be filing papers in search of a cure for the rest of my life.

40. The bad actors in this case have traumatized me beyond words.

41. Defendant Story is very aware of this also and has intentionally terrorized me with abuse that is unbecoming of any office or officer of the court.

42. She has only gotten away with it for one reason, which is because nobody will physically intervene and stop her. (While as you know, failure to intervene is a federal crime.)

43. Nothing that she has done in this case is remotely ethical, lawful, of good repute, in the pursuit of justice, in alignment with her oath of office, the federal rules, or even the State of

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Tennessee's rules of professional conduct. Not one.

44. While I have an absurd amount of evidence which if ever equally considered by any fair and impartial tribunal, is simply irrefutable.

45. It may be hard to believe that someone can commit this many crimes in one case, or violate the rules of professional conduct so profusely, but once someone quits taking her word and the "court record" (which she fraudulently fabricated) as a "given", and allows me to be heard for the very first time, I have evidence upon evidence that absolutely everything which she has done is purely putrid, sinister, cruel, abusive, unlawful, unethical, harassing, stalking, and frankly evil.

46. Letters from my psychiatrist and my psychotherapist are available online, and have also been filed in this case, with my Tennessee Request for Accommodations,[5] which I ask that you please use until I have enough time to write something more specific for this court. https://rico.jefffenton.com/evidence/2020-07-08_tnsc-coa-ada-request-for-modification.pdf

47. If ever someone in the history of the world has needed electronic filing to have a fair chance at reaching justice, then I promise you that I do.

48. I won't have a chance at litigating anything without electronic filing and notification, so that I have the absolute maximum amount of time to research motions/orders, etc… learn how to respond, and draft a pleading or response.

49. Even the State of Tennessee allowed me to file by email through the Clerk of the

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

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Court. I haven't got a chance without that. (I thought ECF was a routine request from what a friend had told me, or I would have elaborated more about the specific need related to my disabilities.)

50. TIME management is almost impossible for me. I will probably be late for my own funeral. If ECF serves any legitimate need in the justice system, I doubt that you have met someone who needs it more than me.

51. I have pretty decent tech skills, and I have a friend who knows how to use ECF, who will walk me through how to use it, if you will please enable it for my case.

52. I'm assuming the concern is that I will file a bunch of embarrassing junk, but I assure you, I won't.

53. I have a background in commercial printing, pre-press, marketing, and amateur web design. Which is why I have resorted to trying to "testify" with "evidence".

54. I'm essentially trying to say what I literally don't have words or language to articulate.

55. That is why I have tried to SHOW the truth, in a linear fashion, using heavy markup, writing between the lines of the fraudulent court filings. In an attempt to sow the truth in with the fraudulent narrative, in an "inline" way, so not to lose the attention of the reader before being able to distinguish what I'm trying to say.

56. If anyone was able to take my booklet TN Court Motions in Chronological Order[6]

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[6] https://rico.jefffenton.com/evidence/2019_tn-court-motions-in-chronological-order.pdf (Case 1:23-cv-01097-PLM-RSK, ECF No. 19, PageID.2617-2716.)

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and read through it, accept my markup as my sworn testimony, and apply the law to it to deliver me justice, then we would be all done here.

57. The last five pages of that booklet[7] have a Report and Recommendation from Nashville Federal District Court in Fisher v. Gates, No. 3-15-cv-127, which shows how the Chancery Court and the Court of Appeals should have handled my case… being pro se, plead in good faith, maybe not addressing every averment, but doing my absolute best on short notice, while clearly I have never failed to plead, clearly I desire to defend my case, and negligence is not an acceptable reason to allow defaults to stand for a pro se when they are doing their best in good faith.

58. While as hopefully you can see by now, there were some serious bad actors cutting my legs out from underneath me in Tennessee.

59. I'm still struggling to figure out how to articulate what I can much easier SHOW, but nobody will respond and help me with what I have shown, so I need to figure out how to articulate it, which I am trying and making headway, but the level of discrepancy between the truth and the fraudulent court records, is obscene.

60. I didn't use to think I had "communication disabilities", but after the abuse I have experienced by defendants Story, Yarbrough, Binkley, and Beeler, I do now.

61. The reason that some of my filings are the way they are, is not because I wish to disrepute the judiciary in any way, I've been fighting for my life, trying to figure things out, while struggling to articulate them in both a respectful and believable manner in light of the

[7] Case 1:23-cv-01097-PLM-RSK, ECF No. 19-14, PageID.2712-2716.

unconscionable level of misconduct in my preceding litigation.

62. After listening to the Audio Book "The ADHD Effect on Marriage", subtitled "Understand and Rebuild Your Relationship is Six Steps" by author Melissa Orlov, my ex-wife forcefully stated, "You're screwed, and I just have to learn to live with it!" (Or something substantially similar).

63. In a text message I received on 1/23/2019, my ex-wife told me in part, "I used to always think of you like you were riding a stationary exercise bicycle; peddling furiously, working so hard, but going nowhere."

64. In a text message I received from my ex-wife on 2/9/2019, she said in part, "I hate it when you ask me to choose what you "should" work on, since you can't multitask."

65. Those are my two most frustrating and debilitating flaws, caused by my disabilities. My slow meticulous, contemplative, and repetitive pace at which I complete important tasks (valuing perfection over speed, as a result of having "Obsessive Compulsive Personality Disorder"), further exacerbated by having "Attention Deficit Hyperactivity Disorder", causing me to lose focus, or focus too intensely on one project, problem, or task, at the exclusion of others.

66. In the Merck Manuals Professional Edition online, an article by Mark Zimmerman, MD, Rhode Island Hospital (May 2021), describes "Obsessive Compulsive Personality Disorder" (OCPD) as follows (I believe that these characteristics accurately describe me):

(1) Obsessive-compulsive personality disorder is characterized by a pervasive preoccupation with orderliness, perfectionism, and control (with no room for flexibility) that ultimately slows or interferes with completing a task.

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

(3) Patients with obsessive-compulsive personality disorder are excessively dedicated to work and productivity; their dedication is not motivated by financial necessity.

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

(5) These patients may be overzealous, picky, and rigid about issues of morality, ethics, and values. They apply rigid moral principles to themselves and to others and are harshly self-critical.

67. Most of the time, when someone says something "worse" about me, than I will admit, they are lying.

68. There are very few people more critical of me, than I am.

69. Truth is my highest value. Authenticity is my second highest value, which I define as "truth in relationships".

70. I almost always openly admit my faults. I despise pretentiousness. I do not hide behind pride.

71. I believe that whenever someone takes what I will freely disclose, then tries to "read between the lines", they are usually fabricating false attributes, perceptions, or a false narrative about me. (If it were true, then I usually would have said it.)

72. Most often, I over disclose. I don't have much of a "filter" and I hold very little back.

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73. In the past I have repeatedly asked my ex-wife to teach me how to "draft", since architecture was clearly our family's "bread and butter", but she ultimately refused. She told me, "You would probably get one wall designed perfectly and the rest of the building would never get drawn." (Or something substantially similar.)

74. She knew exactly how to target, attack, and exploit my disabilities for a strategic advantage during our divorce, which is exactly what Attorney Virginia Lee Story viciously and relentlessly did.

75. Everything I held and cherished in my life, my home, my "safe place", my shelter, my only stream of income, my sole asset towards retirement, my only "wealth", Attorney Story violently ripped from my possession with absolutely zero consideration of the consequences for me, while not providing me with a single dollar in exchange toward my relocation, replacement shelter, provision, support, medications, etc.

76. All support was synchronously timed and terminated prior to filing the divorce, unconscionably without notice.

77. I can write the truth all day long, but unless someone in an honorable position of authority starts making court orders to apply the law to the truth while beginning to provide me with some relief, all I can do is spin in circles and try to get friends to help me articulate more clearly what I'm still struggling to articulate clearly, while not knowing how to articulate dishonorable actions by the preceding court and counsel without sounding offensive, as if I'm disparaging the court, while that is honestly not my goal.

78. I need help. There is no plan "B". I need justice!

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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 March 25, 2024

JEFFREY RYAN FENTON, PRO SE

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