

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF LEXINGTON

U.S. Bank National Association,  
PLAINTIFF,

vs.

Tracie L Green; Palmetto Citizens Federal  
Credit Union,  
DEFENDANT(S)

ORDER DENYING MOTION TO VACATE  
C/A NO: 2022-CP-32-00784

MORTGAGE FORECLOSURE  
DEFICIENCY REQUESTED

Plaintiff and Defendant argued Defendant's motion to vacate by Zoom Virtual hearing on January 25, 2025 attended by John S. Kay, Esq., attorney for the Plaintiff and Defendant, Tracie L. Green.

Lexington County does not have a staff court reporter. The parties to each case must pay for a court reporter. Plaintiff or Defendant may obtain a copy of the transcript of the hearing by contacting Garber Reporting Services, 3200 Devine Street, Suite 103 Columbia, South Carolina 29205, email: [info@garberreporting.com](mailto:info@garberreporting.com) and phone number (803) 256-4500 to arrange to pay the court reporter for the transcript.

Based upon the parties' arguments, exhibits presented, review and consideration of the case record filings and a review and consideration of those matters raised and argued by the parties, I find, rule, and order as follows:

1. The Court granted Plaintiff's Motion for Summary Judgement by November 14, 2024 e-filed Order. The Court has not received notice of any state court appeal.
2. Defendant's "Motion to Vacate Judgement for Foreclosure" was heard by this court, despite Defendant's argument that the motion did not comply with South Carolina Rules of Procedure.
3. This Court notes that while it considered all arguments raised by Defendant, all arguments were evaluated against what Defendant actually filed in her Motion to Vacate and analysis of motions to vacate case law and procedure.

4. **Rule 60, SCRPC provides typical motion to vacate fact and legal patterns.** Fraud, Mistake, Inadvertence or excusable neglect are reasons to grant, as is lack of subject matter jurisdiction. The court note that “Relief is granted for extrinsic fraud because it prevents full litigation of the case. Intrinsic fraud does not invalidate the judgment because that type of deception should have been discovered during the litigation itself, and granting relief whenever a witness’s testimony might have been misleading undermines the stability of all judgments. The fraud must be established by clear and convincing evidence and the movant must also show a meritorious defense.” South Carolina Civil Procedure Second Edition by Professor James F. Flanagan University of South Carolina School of Law, Page 486. ( 1996)
5. **Federal v State Jurisdiction.** Defendant argues this court has no jurisdiction to proceed while her federal court appeal (and any other agency type appeal) is proceeding. Defendant’s conclusion under these case facts is erroneous. Rule 41 (d) Federal Rules of Appellate Procedure, 28 USC App Fed. Procedure and Federal Local Rule 41 provides proper process/procedure to obtain a stay, noting that the motion should be denied without an articulated showing that the motion is not frivolous or merely filed for delay.
6. Defendant’s federal court action was dismissed and remanded back to the state court. It is important to note that there is no specific federal court order staying state court action.
7. **State Jurisdiction.** This case is a mortgage foreclosure. The Defendant was served with the summons and complaint in this case on March 8, 2022, but did not attempt to request a jury trial until May 23, 2022. (The Court again calls attention to and incorporates by reference the various matters filed and submitted in this case during the period under discussion). The Defendant also filed a second request for a jury trial on July 6, 2022. The pleadings filed by Defendant did not include any compulsory counterclaims.  
Rule 38, South Carolina Rules of Civil Procedure provides that a party may demand a jury trial no later than 10 days after the service of the last pleading directed to such issue. I find that the Defendant did not request a jury trial in this case in a timely fashion. The Plaintiff’s case is one for foreclosure of a mortgage and was properly referred to this court by Order dated July 5, 2022. The Defendant was in default and there was no filed jury counterclaim. The Court also notes that after the matter was referred to Equity Court, the court set a September 13, 2022 hearing date. Once court determined the matter was

not uncontested, the court changed this hearing to a status conference. Defendant never told the court of a jury trial demand.

8. **Fraud.** While this court notes that Defendant has filed multitudes of documents, pleadings, motions etc., there is no persuasive claim or proof of fraud sufficient to grant a motion to vacate.
9. **Bank Fraud/ Acquiring Home.** Defendant's claim that Plaintiff committed fraud when Plaintiff sent the required federal notice of foreclosure process (generically referred to as "**Home Acquisition claim**") is a misunderstanding of both process and law. This form is a required form sent out to notify parties that the foreclosure process has started possible time parameters, and loss mitigation information. Some states are writ foreclosure states and the process is much quicker. South Carolina is a judicial foreclosure state that requires four (4) basic steps: (a) lawsuit filed (b) dispositive hearing held (c) property sold at public auction (d) Court delivers deed to purchaser after compliance. The Court explained this process at hearing to Defendant. Defendant still owns her home since the 4- step process has not occurred.
10. **Allegations of Clerk of Court Fraud.** Defendant argues that the Lexington County Clerk of Court has improperly filed, mislabeled or not filed certain un- specified documents, while filing all of Plaintiff's documents as submitted. The Court explained and finds, that (a) this court, without specific authority, does not have jurisdiction to tell Clerk of Court how to file documents. (b) this court explained, at hearing, that Lexington is in the state e-filing system. That system has a set number of Nature of Action (case subtypes) and Initiating actions when matters are e-filed. The Court notes that it is not uncommon to see entries submitted by attorneys and judges labeled "Order/Other" or "Filing/Other" presumably because Clerk staff is unable to determine the complete nature of the filing. The court finds no persuasive evidence that indicates Clerk of Court fraud or any other improper activity.
11. **Court Fraud/ requiring personal appearance at Summary Judgment / All outstanding hearing versus virtual appearance.**

**The summary judgment motion was set as an all-day in person proceeding. This process had been discussed at status conference. Defendant's claim that she was barred from the hearing is completely false and without merit.**

To the contrary, because of the nature of the matters e-mailed and filed, the court required her physical presence so that the court could listen, watch, evaluate all matters raised by Defendant in person, rather than to do so by a virtual hearing.

There is no absolute right to a virtual hearing for this type hearing. An in- person hearing also guaranteed that all parties, Plaintiff, Defendant and Judge, could see who else might be in the hearing. South Carolina has open courtrooms and any one can attend a hearing virtually or in person, but if they attend virtually, parties cannot always see and hear all activity as clearly as they could in person.

The Court would not separately schedule a motion every time Defendant filed such documents that were labeled motions or could be argued to be motions. This process is standard for the Equity Court. General practice is for Equity Court to set a single day/time to argue all outstanding motions.

The reason the Summary judgment motions was set for an all-day hearing was because the court allocated time not only for Plaintiff to present its motion, but to allow the remainder of the day for Defendant to argue any of the many motions, filing etc. on record, since this was motion hearing day on any and all motions to be argued.

Those motions not argued are deemed abandoned.

12. Defendant called the Court the morning of the hearing requesting to be allowed to appear virtually or by telephone. It is, and has been, this Court's policy to conduct contested matters in-person with a court reporter. The request by Ms. Green has been made several times previously and it has been explained to her that while a status conference can be

attended virtually since there is no swearing of witness, direct or cross examination etc., , this court's practice is that contested hearing must be conducted in-person.

13. Ms. Green has discussed in previous emails to the Court that she believes she cannot come to South Carolina for fear for her life. Ms. Green has indicated that the reasons for her belief extend from a racial component and a possibility of terrorist activity or something related to her previous work at a nursing home. The last reason she gave for not being able to appear in person was due to her limited finances. The subject of this foreclosure action is a parcel of real property located in Lexington County known as 123 Cardinal Pines Drive Lexington, South Carolina. This was the Defendant's address at the time of the filing of the action and is the location where she was served with the pleadings on March 8, 2022. The Defendant apparently moved to the state of New York at some point in the litigation and still maintains a residence in New York.

14. **The Court now includes portions of the filed Summary Judgment Order for reference:**

- The Court calls attention to and incorporates by reference Defendant's multitude of filings, motions or pleadings.
- notes that court standard practice is to discuss court process that it is party's responsibility to argue any and all previously filed motions on the date of hearing. The Court takes notice that many motions are filed, then abandoned or resolved and not argued by the parties.
- notes that the court notified parties by email that because it was a contested testimony hearing, then the hearing is in person, and
- that the Court will address all motions raised and argued.
- calls attention to the Summary Judgment hearing testimony where court questioned Plaintiff counsel about status of various filings.
- The Court further notes that since Defendant did not appear to argue the below filings/ or motions, since Defendant did not appear to argue these matters, the court deems these motions abandoned:

--**GAL.** The Defendant had previously filed a motion requesting that a Guardian ad Litem be appointed for her. A Guardian ad Litem was not appointed in this case, as the Defendant is not under a disability as would allow for the appointment of a GAL pursuant to the South Carolina Rules of Civil Procedure.

--**APPOINTED ATTORNEY.** The Defendant also appeared to argue that since she could not afford or obtain an attorney, then the court should appoint an attorney for her. While the landmark 1963 Supreme Court case *Gideon v. Wainright* established that indigent defendants have a right to counsel in criminal cases, the extension of this right to a "Civil Gideon" in civil court cases has never been established. South Carolina has not adopted or established a right to a Civil Gideon (other than certain Family Court type cases etc.), so the Defendant does not have the legal right to have counsel appointed for her in this case.

--**CONTINUANCE.** This case has been continued numerous times at the request for the Defendant; however, there is no provision for a continuance to an indefinite date in the future when the Defendant might have funds to travel to South Carolina for a hearing.

-- **SAFETY.** With regards to the concerns the Defendant has about her safety at a hearing, the Court had advised the Defendant that a member of the Lexington County Sheriff's Department would meet the Defendant at her car in the courthouse parking lot and escort her safely to and from the courtroom to allay any fears she might have in appearing in court.

--**LOSS MITIGATION.** With regards to loss mitigation activities during the course of the foreclosure action, Plaintiff filed a Notice of Denial Loss Mitigation on May 20, 2022, pursuant to the requirements of the South Carolina Supreme Court Administrative Order for 2011. (Further note: During Motion to Vacate Plaintiff argued that Defendant did not complete all loss mitigation package(s) and further noted that some of Loss Mitigation was available only if property was owner occupied. Defendant acknowledges property has not been owner occupied since she moved to New York.)

-- **JURY TRIAL DEMAND.** The Defendant was served with the summons and complaint in this case on March 8, 2022, but did not attempt to request a jury trial until May 23, 2022. (The Court again calls attention to and incorporates by reference the various matters filed and submitted in this case during the rime period under discussion). The Defendant also filed a second request for a jury trial on July 6, 2022. The pleadings filed by Defendant did not include any compulsory counterclaims. Rule 38, South Carolina Rules of Civil Procedure provides that a party may demand a jury trial not later than 10 days after the service of the last pleading directed to such issue. I find that the Defendant did not request a jury trial in this case in a timely fashion. The Plaintiff's case is one for foreclosure of a mortgage and was properly referred to this court by Order dated July 5, 2022. Defendant did not appear on motion hearing date to argue this motion, so this motion was deemed abandoned.

-- **VENUE.** On July 15, 2022, Defendant filed a motion for change of venue in what appears to be an attempt to move the case to federal court from state court. The property in question is located in Lexington County and the Plaintiff's cause of action is for foreclosure of a mortgage on this property. Therefore, the proper venue for the case is the Court of Common Pleas for Lexington County, South Carolina.

-- **NOTICE OF REMOVAL.** On November 28, 2022, Tracie L. Green filed a Notice of Removal with the United States District Court for the District of South Carolina seeking to remove the within case to federal court. On December 2, 2022, United States Magistrate Judge, Shiva V. Hodges, issued a Report and Recommendation wherein the Court recommended the matter be remanded to state court for lack of subject matter jurisdiction and failure to follow the removal procedures in 28 U.S.C. § 1446. United States District Court Judge, Sherri A. Lydon, adopted the Report of the Magistrate Judge in its entirety and issued an Order on January 23, 2023 remanding the case to the Lexington County Court of Common Pleas.

-- **FEDERAL COURT NOTICE OF APPEAL.** On February 14, 2023, Tracie L. Green filed a Notice of Appeal to appeal the Order of Remand to the United States Court of Appeals for the Fourth Circuit. On October 2, 2023, the appeal was dismissed by the United States Court of Appeals for the Fourth Circuit. Thereafter, Green petitioned the United States Supreme Court for a writ of certiorari. The petition was denied by the United States Supreme Court by Order dated May 20, 2024.”

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**15. Why Court allowed virtual hearing rather than in person for Defendant’s Motion to Vacate?**

The Court’s standard practice for virtual hearings is for the hearings to be virtual with in person option. Defendant’s motion to vacate was set for a one (1) hour period 4:00 p.m. -5:00 p.m. based upon court’s examination of the filed motion and belief that the argument should take an hour or less.

The hearing lasted until after 6:00 p.m. The court requested Defendant to summarize each reason to vacate to ensure the Court could consider all proper arguments. Instead, Defendant requested to read all or part of previous filings. The Court explained that it had read all the pleading, that the pleading were on file, and that Defendant did not need to read to Court this same information. Defendant then read all or a portion of filed pleadings. The Court then would summarize what court believed to be the focus of the reading. Then Defendant would ask to be able to further explain what she meant by what she wrote. The Court allowed some, but not all of these requests because the court had been copied with the previous filings, and some of the matters raised had already been raised and discussed previously.

The Court then directed Plaintiff—on or before end of day Monday the 27<sup>th</sup>-- to send Court and Defendant a confirmation list of matters raised by Defendant. Defendant would then have until end of day Tuesday the 28<sup>th</sup> to reply with any other Rule 60 s valid reasons to vacate.

Defendant requested additional time by email. The Court declined to grant, noting that this hearing was Defendant's Motion. Defendant had obligation to be prepared to present her arguments in an orderly fashion, not simply reading and then explain various filings. In addition, the court notified both Plaintiff and Defendant that they had the above-described time line, which gave them 2-3 days additional time to summarize information that should have been presented at the hearing.

**16. Post hearing requested Issue Identification Compliance.**

The parties responded as follows. The Court notes that while many issues were raised, the court evaluated the issues against (i) what Defendant filed in her Motion to Vacate (ii) Matters raised and resolved by Summary Judgement Order. (iii) Proper Legal Motion to Vacate Matters (iv) Matters barred by Defendant's failure to appeal in State court.

**As directed, Plaintiff responded as follows:**

Pursuant to the Court's instructions from Friday's hearing, I have listed the issues raised by Dr. Green in arguing her motion to vacate and I have listed those below:

1. Federal court vs. state court jurisdiction in the case and whether there is a stay of state court proceedings.
2. Notice of Pending Acquisition (NOPA) letter that Defendant received and whether there is a lack of due process.
3. Defendant claims she was barred from attending the summary judgment hearing.
4. Covid relief and loss mitigation issues.
5. Unknown hearing issue
6. Documents moved or removed online (public index)
7. Order of Reference issue
8. Order restoring the case issue
9. Unaddressed issues (motions or questions not addressed in previous hearings)
10. Notice filed by Defendant seeking Restraining Order
11. Defendant claims U.S. Supreme Court had jurisdiction and Plaintiff was barred from filing its motion for summary judgment

**As directed, Defendant responded as follows:**

1 28 25

**RECEIVED:**

1/27/25 1020am email from Judge Spence requesting Plaintiff and Defense resend documents to Joy Davidson and Equity Court; and Plaintiff [Bridgette Dull] 1049am email indicating all of Plaintiff documents are filed and indexed; if disagree, advise of titles of documents not indexed.

Sent to only 5 recipients, Plaintiff (Attorney John Kay's) 1/27/25 432pm correspondence recalled list of issues allegedly raised by this Defense during this case second Motion Hearing [known by Defense], held 1/24/25 are as follows:

1. Federal court vs state court jurisdiction, whether there is a stay of state court proceedings.
2. Notice of Pending Acquisition (NOPA) letter received by Defense, whether lack of due process.
3. Defense claim barred from attending summary judgement hearing.
4. COVID relief and loss mitigation issues.
5. Unknown hearing issue
6. Documents moved or removed online public index
7. Order of Reference
8. Order restoring the case
9. Unaddressed motions/questions not addressed during first motion hearing.
10. Defense Restraining Order notice
11. Defense claim US Supreme Court had jurisdiction and Plaintiff barred from filing its motion for summary judgement.

Again, only sent to 5 recipients, Judge Spence 1/27/25 439pm correspondence acknowledged receipt of Attorney Kay's list requested at 1/24/25 hearing. Reiterated Defendant has until end of business day to provide additional issues, as time extension not permitted.

**DEFENSE RESPONSE:**

Since Defense is having trouble following or understanding all Plaintiff has listed, to ensure completeness, Defense list of issues are as follows (with associated documents submitted for filing listed):

1 22 25 CD3. PDF, CEASE AND DESIST No. 3 [UPDATED Criminal Complaint, Charges Requested with Certificate of Service] (4 pages)

1. Discrimination, made to provide court reporter though inform a pauperis status.
2. Fraud, missing/altered documents; printing e-filed documents.
3. Fraud, suspected association to Federal Case 3:20cv00054 BJDPDB.

1 14 25 Response.pdf, DEFENDANT'S REBUTTAL, Motion for Dismissal with Prejudice and Certificate of Service (75 pages)

5. Fraud, Plaintiff did not provide Defense with copy of PLANTIFF'S OBJECTION TO THE DEFENDANT'S MOTION TO VACATE JUDGEMENT, FILED JANUARY 13, 2025 1251PM
6. Fraud, Supreme Court jurisdiction active February 2023 -August 19, 2024. (detailed below)
7. Fraud, blatant illegal, unlawful activity ignored. (detailed below)

8. Fraud, concurrent jurisdiction proper procedure violated as per 15 U.S. Code 3612 and 45 U.S. Code 56.(detailed below)
9. Fraud, court activity ceased while case at District Court and Court of appeals; inconsistent with activity that occurred while at Supreme Court of the United States.

[11 3 24 Defendants' Proposed Order, entitled MASTER'S ORDER AND JUDGEMENT FOR DEFENDANT, (8 pages) based on SC Code 15-36-10 was rejected by Judge Spence]

10. Fraud, US Bank National intentionally offered COVID-19 Recover Standalone Partial Claim instead of COVID-19 Loan Modification as per July 23, 2021, HUD 21-115 Public Release Notice Federal Housing Administration Announces Additional COVID-19 Recovery Options for Homeowners. US Bank National ignored Defendants' multiple notices of the same.

11. Fraud, lawsuit is malicious in intent, filed 14 days after Defense contacted FHA/HUD to assist in conflict resolution.

12. Fraud, 7/13/22 Motion to Change Venue to Federal Jurisdiction; 8/22/22 allegations of perjury, mockery of judicial process, state law, and federal law; intentional non-adherence to federal guidelines; predatory lending; targeting/malicious intent; federal tampering never addressed by Court/Judge Spence.

13. Multiple Frauds\* ["First Summary Judgement Attempt" (just 5 months after filing foreclosure lawsuit)]:

- a. \* 8/3/22, Defendant received US Bank National's certified Notice of Home Acquisition in 60 to 90 days, dated July 28, 2022.
- b. 8/3/22, Defendant submitted concern in filing Response to U.S. Bank National Certified Mail Letters, Dated July 28, 2022 (1 page).
- c. \*8/20/22, Defendant received a Notice of Foreclosure Hearing before Judge Spence for 9/13/22, with the said notice being filed 2 days earlier (on August 18, 2022).
- d. 8/22/22, Defendant submitted 95-page "Notice of Home Acquisition" detailing unlawful activity.
- e. \* 9/1/22, Clerk of Court filed Defendant's 8/22/22 document (10 days after submitted). On same day, US Bank National via Attorney Kay filed a NOTARIZED Attorney Affidavit of Fees stating "A hearing was held by the Master, who requires an order to be proposed by Plaintiff Counsel." DEFENDANT WAS NEVER NOTIFIED OF THIS HEARING AND NEVER RECEIVED PLAINTIFF PROPOSED ORDER, but did receive Plaintiff's 7/28/22 Notice of Pending Acquisition earlier. This indicates said meeting likely occurred in July 2022, without Defense knowledge or lawful participation.
- f. \* 9/13/22 Foreclosure Hearing cancelled, Status Conference held in its place.
- g. \*Less than 48 hours later, 9/14/22 1043pm, Judge McLeod struck case from active roster, causing direct conflict with Judge Spence directives.
- i. Order for dismissal if not restored to active roster in 180 days due to non-compliance.
- h. \*Case restored to active docket February 2, 2024 (past the 180-day timeframe), with the Order restoring to active roster being dated February 28, 2023.
- i. After Defense raised concern, the following occurred:
  - i. \* 2/25/24, Clerk of Court removed all documents indexed online (i.e. not downloadable).
  - ii. \*Clerk of Court changed name of Defendant's indexed documents to generic labeling, while name of Plaintiff's documents remained unchanged with detailed labeling.
  - iii. \*Court ignored Defendants' 3/15/24 Motion to Dismissal with Prejudice due to Judge McLeod's order and simultaneous, concurrency with Federal jurisdictional proceedings. Motion

hearing's were not held for Defense motions, only Plaintiff's initiated motions, as 1/24/25 Motion hearing is the second hearing Defendant is aware of since the 3/4/22 filing of this case.  
 j. \*Referral to Master-In-Equity Judge Spence occurred with agreement between Plaintiff and Clerk of Court Mona Huggins. Defense never consented to case transfer. \*Court never addressed this concern, though requested by Defense.

14. Fraud, Clerk of Court filed Defendant's Motion to Move to Inactive Roster, dated 2/6/24, six days later, on 2/12/24; whereas Plaintiff's Motion for Summary Judgement was filed and indexed on 2/7/24.

15. Fraud, Judge Spence reminded of pending Federal proceedings (RICO case, Supreme Court Notice of Removal); Plaintiff breaching FHA/HUD COVID-19 guidelines, multiple "Summary Judgement" attempts; partial treatment with Clerk of Court (missing documents; altered documents; electronically filed documents not electronically filed).

16. Fraud, 1 14 25 Defendants Motion for Dismissal with prejudice ignored by Court.

[11 18 24 Response email correspondence, entitled Notice to Cease and Desist/Motion to Reconsider [detailing errors noted in Judge Spence 11 14 24 Judgement Order for Foreclosure], requesting correction ignored.

17. Multiple Frauds\*, Judge Spence Judgement Order document continued to be profiled publicly until January 24, 2025, despite Defendant's notifications.

a. \*Page 2 of Judge Spence Judgement Order states Defendant failed to show up for Summary Judgment Hearing, but fails to mention Defense present via phone (even speaking with Judge Spence directly) due to Court refusal to acknowledge the notice of restraining order issued by Defense, limiting ability to be in person because of safety concerns.

i. Defendant details barring by Judge Spence in the Notice to Cease and Desist/Motion to Reconsider document, though Defense still attempted to attend due to Judge Spence not honoring the notice of restraining order.

ii. \*Court ignores and fails to intervene in Defense report of persistent filing issues with Clerk of Court, fraudulently filed Summary Judgement by Plaintiff, mail fraud concerns, motion to reconsider judgement. Motion hearing was not scheduled.

[1 6 25 CEASE AND DESIST No. 2 [Criminal Complaint, Charges Requested with Certificate of Service]

18. Fraud, details Judge Spence operating on case actively being evaluated by Federal court despite repeated notifications from Defense (as discussed above)

19. Fraud, details Judge Spence 3/29/24 permitting Zoom attendance to Summary Judgement Hearing then changing his mind, knowing it would bar Defendant's attendance, due to out-of-state residency, safety concerns, and financial limitation.

a. Fraud, this was doubled as Judge Spence stated all outstanding motions would be heard. Thus, Judge Spence knowing majority of the motions were Defendant-derived, gives rise to possible reason Defendant was barred from 6.21.24 Summary Judgement Hearing by Judge Spence.

20. Fraud, court documents do not indicate that anyone, including Judge Spence, ever contacted law enforcement given the multiple reports of targeting, criminal activity, and harm reported by the Defense.

21. Fraud, Defense request for Judge Spence to assist in getting June 14, 2024 submitted document filed and indexed online by Clerk of Court never addressed to Defense's knowledge.

In Summary, Pursuant to SC Code Title 14 Chapter 11 and Rule 60 of the SC Rules of Civil Procedure, Defense again motions this Court to vacate the November 14, 2024 judgement for foreclosure with prejudice due to fraud, misrepresentation or other misconduct of listed and unlisted adverse parties in this case as detailed above; and grant Defendant the \$3 million dollar judgement as requested in the November 3, 2024 Proposed Order.

Attached are the following documents previously submitted for filing:

- 8 22 22 FINAL Response.pdf [Notice of Home Acquisition] (95 pages)-see email #2
- 6 14 24 Response.pdf [Case Status Update: Response] (10 pages)
- 11 3 24 Appendixto RSJ (35 pg)FINAL.pdf
- 11 3 24 RSJ FINAL.pdf [Defendants Rebuttal to Plaintiffs Second Summary Judgement Attempt] (15 pages)
- 11 3 24 Proposed Order FINAL (8pgs).docx
- 11 3 24 Proposed Order Judge Signature Pages.pdf (6 pgs)
- Nov 11 Response to Judge Request.pdf (16 pages)
- 1 6 25 CCCR.pdf (48 pages)
- 1 22 25 CD3.pdf (4 pages)

28 25 (Second Email)

Attachment:

8 22 22 FINAL Response.zip [contains 8 22 22 FINAL Response.pdf, Notice of Home Acquisition] (95 pages)

The Court notes that it has not printed all e-filed attached documents because they appear to be matters previously emailed, filed or argued.

### CONCLUSION


Defendant argued here in the post hearing submission, and by previous emails et. al., that virtually every action taken by this Court, Circuit Court, State Court, Clerk of Court etc. are all fraud based actions directed against her. This court finds no legally sufficient proof or persuasive evidence or argument that the described actions were legally fraudulent as required by law.

The court has reviewed proper legal standards for this and other motions and appeals, as well as examined the vast amount of emails, copied papers, self-described filings sent to Court and Clerk Office to be e- filed, to the best of our ability.

This trial court finds, reasons, and rules that Defendant's Motion to Vacate is denied factually, procedurally and legally.

AND IT IS SO ORDERED.

January 29, 2025

  
James O. Spence  
Lexington Master-in-Equity