

public defender has done absolutely nothing in the two months. She's had the case and has told Jean to stay in Florida, and she will enter a plea of incompetency December 19, 2011. See attachments. December 13, 2011

364

Segment 2 of -October 31, 2011. Jean's court appearance where it appears that Jean's court appointed psychologist is appalled at Jean's treatment by the court system of Calvert County and will be writing a letter recommending a change of venue. According to Jean as of 6:30 PM.. November video reveals just how public defender and prosecutor appear to be collaborating to put Jean in jail falsely to cover-up crimes of the Calvert County judicial system against Jean and Bill. New video on bills property which Paul monger stole with the help of judges, Clagett, Krug and R us Riddle us Watch NEW

363

Calvert County District Court October 31, 2011. Filing a affidavit in support of defendant. Jean Michaud notifying the court, the public defender, the states attorneys, that an eyewitness to the criminal misconduct of Calvert County Sheriff Department that a witness was available and willing to testify for defendant and that 30 video movies were on the [website@secretjustice.com](mailto:website@secretjustice.com) [website@secretjustice.com](mailto:website@secretjustice.com) future videos will show how public defender Allison O'Connell is working with prosecutor to frame the defendant,

337

Part of a video affidavit of victims. Jean Michaud and her husband Bill explaining how realtor Paul Monger you to the inside connections with the court to force an illegal foreclosure proceeding. To top it off evidences come forth that this realtor Paul Monger violated every code of ethics imaginable with the help of the Calvert County Maryland Sheriff Department. Which compounded the criminal acts of the illegal eviction by realtor Paul Monger actually selling off thousands upon thousands of dollars of Jean and bills possessions to insiders. While victim was still locked up in jail illegally. Yet their attorneys did nothing to prevent this, even though that he witnessed the sale and failed to disclose it to be victims Jean and Bill..

335

Jean Michaud's makes a record for Forensic Auditor Clarence Baldwin of Prince George's County Maryland as to help Paul Monger's personal relationships with this County judges and sheriffs resulted in her illegal incarceration, illegal eviction, and the theft of all for personal belongings which were placed into dumpsters and hauled off many items wound up in local flea markets a week later. Tell me this isn't so America. [Watch <335calvert.wmv>](#) NEW

334

Court grants victim Jean Michaud's request for continuance it appears now she will have to seek help from the public defender as there are no attorneys in Maryland or the surrounding areas that are willing to represent a victim of judicial abuse, outright fraud, and a conspiracy by local law enforcement officials/Calvert County Sheriff and his agents. Flagrantly false eviction and false arrest under color of law. Which Forensic Auditor Clarence Baldwin of Prince George's County Maryland is learning more about.

329

August 4, 2011 road trip to Calvert County's Maryland circuit in District Court to obtain evidence that fraud was committed on Jean and Bill by court officers and sheriffs department agents. No signed order could be located in the court case file in circuit court denying emergency motion to reopen for fraud and emergency stay of illegal eviction.

Which was executed by County Sheriff's insiders and judge Krug Clagett and Riddle operating in consort to deny Jean access to the courts under color of law and authority

motion filed in Circuit Court judge Adams. With attachments to ACLU and US Justice Department as exhibits. Asking for help in taking down this criminal ring. [Grand Jury <Grand%20jury%20AG's%207-30-11-1.doc>](#) [Tom Perez <Tom%20Perez%20US%20attorney%208-2-11%20final.doc>](#) [FOIA <8-4-11%20FOIA%20Adam.s.doc>](#)

321

July 20 2011 United States Bankruptcy Court denies relief once again saying that the illegal eviction of 9 AM September evicting Jean and her family July 13 was all right because court was relying on an order that was signed by an insider judge in state court at 4:30 PM on July 13 RETIRED "Judge Steven I. Platt " stepped in for specially assigned. Also retired Judge A. Monty Ahalt of Prince George's County. To facilitate this crime and creditor fraud while the bankruptcy court is complicit covering state courts, criminal acts . Case history is attached FBI and Justice Department will be notified under 18 USC 3057 for conspiracy to justice by judges. One good thing came out of proceeding a verifiable electronic order. See attachment.  
<electronic%20signature%20-%20from%20bankruptcy%20court.JPG> Watch <My%20Movie.321.wmv> NEW  
320

Road trip to Greenbelt, Maryland, US Bankruptcy Court to file to Amicus briefs in support of Jean and Bills, emergency hearing against Paul Monger and the Calvert County Sheriff Department who illegally, evicted them from their property and through their belongings into dumpster's as seen on earlier shows July 13, 2011. Program Continuing road trip to Washington DC Capitol Hill to deliver copies of AN EMERGENCY request to Congressman Steny Hoyer offices . Requesting that FBI in Washington DC Bureau be brought into this matter under 18 USC 3057 & 42 USC 1983 for fraud on the court by Monger and his attorneys, and a enlarging conspiracy to violate the legal and civil rights of Jean by the (" Calvert County Sheriff Department, acting under color of law and authority. 7th Circuit Recusal <7th%20Jud%20cir%20recusal%20of%20judges%207-1-10.JPG> 7/1 recusal <7-1-10%20order%20of%20recusal%20judges.JPG> July 19th Motion <July%2019%20motion%20to%20intervene.doc>

318  
**July 13, 2011. The Calvert County foreclosure machines of Paul monger and Calvert County Sheriff Evans move forward with an illegal eviction with the help of Calvert County judges Krug, Clagett, Riddle, seventh judicial circuit judges Sheila Tillision Adams, plat, Lombardi, and judge Ahalt. Jean was arrested. All belongings were destroyed by a severe thunderstorm has family members and friends were not allowed to enter property to Paul Monger's property under threat of being arrested for trespassing. Thank you FBI for nothing FBI FAX <FBI%20fax%207-14-11.doc> Sherrif Request <PG%20Sheriff%20request%207-14-11.doc> Watch <318%207-12-11.wmv>** NEW

317  
Road trip to Annapolis, Maryland to invite seek the FBI's help in preventing the illegal eviction of Jean Mashaud July 12th 2011, and also filing a freedom of information request for all 302 reports, the FBI has on file regarding foreclosure fraud and bank fraud reported to their offices by citizens in victims of foreclosure fraud in Maryland under 18 USC 3057. Also visit the Gov.'s office seeking help for Jean Motion <July%2012%20motionCOSA%20for%20title.doc> FBI Invitation <FBI%20Sheridan%20July%2012.%202011.doc>

308  
**Gen. George Washington explains the founders intent and setting up the grand jury process as a check and balance against corruption in Government, the Legislative Branch of Government and the Judicial Branch of Government. And the Executive Branch all of which should act with in the Constitution of the United States and when they fail to do so. We the people shall the right form a Grand Jury and seek indictments against rogue agents who violate the rights and trust of their office for their own personal gain and enrichment. Such as 18 USC 3057 requires of court officers.**

Watch <My%20Movie%20308.wmv> NEW 307

United States Capitol June 19, 2011 Maryland court watch.com reports on the unsigned orders of Judge Gwendolyn L Lipp, U.S. Bankruptcy Court Greenbelt Maryland and the courts efforts to cover up fraud and corruption within that court in violation of title 18 USC 3057. And how reporter petitioned the executive office of the United States trustee General Counsel to investigate these crimes committed by court officers and seek a federal grand jury investigation into the outright corruption judge Wendelin L Lipp and other Bankruptcy Judges in Maryland court's are furthering against the Constitution in violation of their oath of office.

301

**Fraudulent eviction day June 6, 2011 the story gets more bizarre by the minute, Victims are directed to an FBI Annapolis field office that is Nonexistent, Victims of judicial terrorism move valuables out of property to safekeeping storage while it's circle of Angels lawyers pursue justice in a corrupt court system. Channel WUSA 9 NEWS. Shows up to do story on victims plight as Bill and Jean live a day of terror because no governmental agency has jurisdiction over the Foreclosure Fraud and or Judicial Terrorists. Watch <My%20Movie%20301.wmv> NEW**

300

**Trip to the FBI headquarters in Baltimore County gates are locked to victims were a 9-to-5 agency don't bother us even though advanced request had been faxed to your office notifying special agent McFeely that the victims desperately needed to file a criminal complaint as all judges were acting in lockstep to violate these victims legal and civil rights under color of law and authority under 18 USC 3057 of the United States criminal code. Watch <My%20Movie%20300.wmv> NEW**

299

**Road trip to Baltimore Maryland with victims of foreclosure fraud once again the Maryland Atty. Gen. agents have said that they have no jurisdiction over foreclosure fraud in the state of Maryland, told the victim to go pound sand he should a notified earlier. Visit to DLLR once again foreclosure fraud agency has no jurisdiction over foreclosure fraud were sorry to bother somebody else. Watch <My%20Movie%20299.wmv> NEW**

298

**George McDermott with Mdcourtwatch.com NEWS makes emergency trip to the US House of Representatives and Senate offices to deliver a 21 page emergency request for help to each member of Congress and Senate representing Maryland constituents, asking for their intervention to stop the illegal eviction of Jane Wales Mashhad providing recipients with second forensic audit proving all FORECLOSURE DOCUMENTS FORGED Emergency Request to Congress <Backup%20of%20emergency%20request%20Congress%201.wbk> FBI <Backup%20of%20FBI%206-1-11c.wbk>**

285

**victim from table interviews victim of Calvert County Maryland foreclosure fraud at her home outlining her fight to save her home and to stave off an illegal eviction by the County Sheriff's Department and court insider Paul monger. Beautiful view no wonder everyone wants this property is helping Paul to steal it. What judge will be rewarded. Watch <My%20Movie%20285.wmv>**

284

**April 28, 2011 we filing papers with US Supreme Court in compliance with deficiency notice of March 1 request for the court additionally filing third lodged appendix with over 60 additional unsigned orders received from March 1 through present and also through the audit of the court of special appeals official file jackets. Watch <My%20Movie%20284%20SC.wmv>**

283

Part 7

**Fraudulent Eviction stopped on Jenes house after her husband being forced to file bankruptcy protection because predatory lawyers and Calvert County judges vowed to ignore any order from any court and move forward with the eviction as they stated to DC attorney. Who's about to slap \$20 million lawsuit against the county and its agents if they attempted to evict this woman in any way, part eight to follow Jean sits on patio and discusses the corruption within Calvert counties judicial system she has been fighting. And what a spectacular view. **Thanks to all those who helped save Jeans home and cat sanctuary** Watch <My%20Movie%20283%20P7%204-27-11.wmv>**

Part 6

April 27 visit to the US Supreme Court to check the record. In preparation for April 29 filing of the petition for writ of certiorari questioning the courts unauthorized use of unsigned orders violating citizens constitutional rights, under color of law [Watch <My%20Movie%20283%20Part%206.wmv>](#)

283

Part 5

Every order reviewed in court of appeals with the exception of one was on signed and the FBI and Justice Department are now looking into the matter. Part two seven judicial circuit assignment judge refuses to divulge the sham reassignment of judge to Calvert County the video says it all. [Watch <My%20Movie%202.83%20P5.wmv>](#)

[<Sheriff%20notification%204-21-11.doc>](#)

[Motion <response%20motion%20USDA%2004-17-11%2001.doc>](#)

283

Part 4

April 18, 2011 United States District Court in Greenbelt Maryland after hours and hours of waiting victim of foreclosure fraud is handed unsigned order as clerk of the court locks the doors telling victim judge denied the relief and handing the victim a sham denial believed to be a forgery as foreclosure victim almost has stroke and nervous breakdown on camera witnessed by US marshals. 18 min. long. [Watch <REPLACE%20283%20P4%20stx.wmv>](#)

283

Part 3

7 Judicial Circuit Court judges doing everything they can to deny jurisdiction and allow predatory realtor Paul Monger and his buddies at the Sheriff's Department to illegally evict victim of foreclosure fraud. Even though case is still on appeal in the Maryland from the Maryland Court of special appeals case # 2159 September 2010 term. Even though US District Court case # 8;11-cv-00949-RWT stays foreclosure proceeding, even though active cases in Prince George's County and him and him and Calvert County case # O4C-09-000851 revealed new evidence by forensic audit of rampant foreclosure fraud lender and clear evidence Calvert County judges should have recused themselves from all matters involving Paul Monger predatory realtor for conflicts of interest.

Judge crew ordered outside judge to hear TRO on April 22 pray for Jean and justice. [Watch <My%20Movie.283-c.wmv>](#)

283

Part 2

Maryland Courts continue to act in lockstep to victimize pro se litigant through Economic Terrorism having victim pay additional court fees and refusing to have emergency hearings as required by law. County state and federal courts all acting in lockstep to help Paul Monger court insider steal millions of dollars while committing bankruptcy fraud as the attached FORENSIC AUDIT PROVES BEYOND REASONABLE DOUBT. No wonder America is going broke the courts are protecting Mafia controlled banks and lawyers instead of adhering to the Constitution and rule of law 18 USC 3057 of the US criminal code is being violated by our Nations broken Courts [Watch <My%20Movie%204-15-f%20stx.wmv>](#)

283

Part one HOW Disabled & THE Elderly in Calvert County Maryland are having their property stolen from them by unscrupulous realtors and COURT INSIDERS using forged Robo signed documents and false pleadings. To facilitate their crimes on the court and the victims typical victims story to be made into a two hour documentary supporting 60 MINUTE INVESTIGATIVE REPORT/stories of April 3, 2011 chronicling how

UNSCRUPULOUS, BANKS, CORRUPT LAWYERS, COURT INSIDERS. Use our courts to profiteer off of fraud, deceit, trickery and direct out on our courts and the dishonest JUDGES who promote this type of FRAUD against VICTIMS.

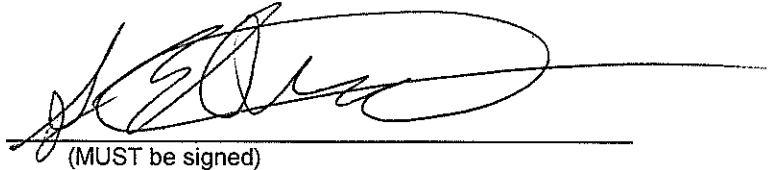
That this office needs any additional information please call me at 301-996-9577 I will be in court on December 19. As a witness for the defendant who is been told to stay in Florida by the public defender stated on the 14th that she will not communicate with the defendant in writing anymore and as of the 15th refused to tell the defendant. What time you hearing or whether it has been postponed.

Respectfully submitted  
George Edward McDermott. Friend of the court

Hand-delivered December 16, 2011 video. Program 387

Revised 09/15/2010

Signature: \_\_\_\_\_



(MUST be signed)

**IN THE CIRCUIT/DISTRICT COURT FOR  
CHARLES COUNTY, MARYLAND**

**IN THE MATTER OF  
THE STATE**

**V.**

**JANE WHALES MICHAUD**

**CRIMINAL CASE**

---

Madam clerk could you please see that the retired judge the Hon. Gary **GASPAROVIC** is forwarded and receives the enclosed pleadings as a chamber copy in a matter he is to hear in Calvert County, December 19. It is crucial that the judge be made aware of facts and circumstances before the December 19 proceeding due to statements made by the public defender that have confused the defendant. As pleadings will show.

1. As of December 14, 2011. Public defender instructed defendant not to contact her in writing anymore and that she will not contact the defendant in writing. Public defender told defendant to stay in Florida, and she will plead her case which would be a grave injustice to the defendant as public defender has mishandled the case from the onset.

Rampart. This is a matter of the most extreme urgency that the Hon. Gary **GASPAROVIC** needs to be made aware of so that defendant can be advised properly as to whether to appear or not, as one of the documents is a motion for continuance the defendant. Is now staying in Florida at the farthest reaches a 20 Hour Dr. from Calvert County, Maryland. Her contact number is 305395 9213 Should the Court wish to verify this.

Thank you for your time and attention this matter and I pray that these documents will get to the Hon. Gary **Gasparovi** . Due to the the judges retired this offices. The only contact. One can rely on to forward his documents to that he may be aware of the situation. Prior to December 19, 2011. Hearing.

Respectfully submitted



George McDermott friend of the court.

# Fax Cover Sheet

To: George McQuinnitt

From: Jean

Fax Number: 301-868-9172

Number of Pages  
(Including Cover): 2

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## Big Pine Shipping

443  
550  
6700

District Court of ND ~~ND~~  
Columbia County # 45199  
200 Nule Street + 2 others  
Peace Preferred, ND 20678

att

To the District Court Judge,  
My name is Jean  
Nichols, and I have  
been tried by Public  
Defender No. A. Cornell the  
my hearing for Dec 19, 2011  
had been postponed and  
do not have to appear. I  
have asked for a letter  
from her stating that  
as of yesterday, Ms. Olmstead  
has denied me a letter  
stating I don't have to be  
there. She said that I  
lose atty/Client Privilege.  
If I am not mistaken she  
is the one who is my support  
to discuss my case. I would  
like this on record.

cc/ Public Defender Thank You  
No. A. Cornell Gerald Nichols  
305-395-9213



**In the District Court of Maryland  
Calvert County District Court**

DEC 13 P 3 57  
DISTRICT COURT OF

In the matter of  
State of Maryland

V.  
Jane Wailes Michaud

Case number  
500045218

---

**FRIEND OF THE COURT MOTION TO THE HON. VISITING JUDGE GASPAROVIC. REQUESTING A CONTINUANCE FOR DEFENDANT'S CASE SO THAT A SECOND INDEPENDENT, UNBIASED PSYCHOLOGICAL VALUATION TO BE DONE OF DEFENDANT AS PUBLIC DEFENDER AND PROSECUTOR HAVE ADVANCED THE CASE TO DECEMBER 19 WITHOUT DEFENDANTS PERMISSION**

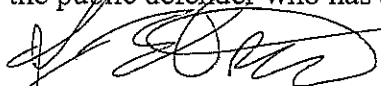
Comes now friend Of the Court, George McDermott , through the motion process. Requesting that the court continue this case from the rescheduled date of December 19, 2011 which prosecutor and public defender advanced without consulting defendant. Based on alleged statements by the court appointed psychologist who only had one meeting with the defendant in a public library for an hour and a half hours.

1. The conclusions of the public defender cannot be verified as she refuses to produce the report to the defendant and for the court to consider that defendant is incompetent would diminish her future cases against the County which public defender and prosecutor both work for their 40s in the best interest of justice that the court allow front of the court or the court to pay for a second psychological valuation outside of Calvert County, Maryland, by an independent psychologist who has an office, and will produce a proper evaluation for this court. This request is being made under Maryland rule 1-101 and 102. Also rule1-103(I) as it is in the best interest of justice to allow this request.

2. The psychological evaluation was requested by the prosecutor at the urging of the public defender after defendant had requested that the court the advice you would request a jury trial on all counts as witnesses will attest to. Public defender stated if she asked for a jury trial, she would demand a competency hearing be held which court records indicate and record shows defendant complied with. See [Att 1] motion filed with the court, this 13th day of December.

3. If nece, is assary, the front of the defendant's husband will pay for the independent evaluation or the court came order some other means of payment as it may deem necessary.<sup>1</sup>

In conclusion, it is in the best interest of justice, the canon of ethics in the code of professional responsibility that this request be granted even though it is coming from a friend of the court, not the public defender who has abandoned her. Her client in violation of her station of office.

  
Respectfully submitted

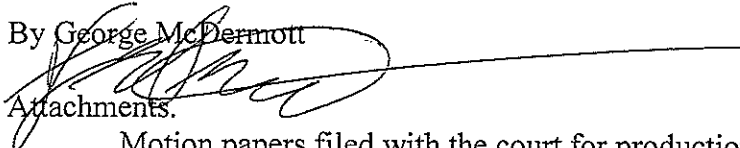
George McDermott  
143 N. Huron Dr.  
Forest Heights, Maryland  
20745  
phone 301-996-9577

### **Certificate of service**

I George McDermott certified that on this 13th day of December 2011 after reviewing in filing these documents within the court for Calvert County, Maryland, a true and correct copy of these filings were filed with the public defender's office, the prosecutors office, and e-mail to defendant Jean Michaud at her husband's Florida residents.

Also, a true and correct copy was mailed to **THE HON. VISITING JUDGE GASPAROVIC TO THE CLERK OF THE COURT FOR CHARLES COUNTY, MARYLAND IS HOME COURT.**

By George McDermott

  
Attachments.

Motion papers filed with the court for production of documents and inspection of records by friend of the court

In the District Court of Maryland  
Calvert County District Court

RECEIVED

2011 DEC 13 P 3:57

DISTRICT COURT OF MD

In the matter of  
State of Maryland

Case number  
500045218

V.  
Jane Wailes Michaud

---

**FRIEND OF THE COURT MOTION TO THE COURT AND PUBLIC DEFENDER TO PRODUCE CHARGEING DOCUMENTS REGARDING THE PSYCHOLOGICAL EVALUATION OF DEFENDANT AND CORRESPONDENCE IN THE PUBLIC CASE FILE REGARDING THE PUBLIC DEFENDERS LACK OF DUE DILIGENCE IN DEFENDING THE RIGHTS OF THE DEFENDANT BY FAILURE TO COMMUNICATE WITH THE DEFENDANT IN A MEANINGFUL, RESPONSIVE MANNER; AND INCORPORATED MOTION FOR THE COURT TO ADMONISH PUBLIC DEFENDER FOR INADEQUATE DEFENSE.**

Comes now George McDermott , through the motion process, as a friend of the court and at the request of the defendant in this matter, having been requested by the defendant to travel to the court and obtain copies of alleged psychological evaluation of defendant given at a public library in Calvert County [Att.1-2] as defendant has been unable to gain access to these records, through the public defender's office ,

1. Friend of the court submits correspondence from the public defender's office, December 6, 2011 which is riddled with false statements of fact and needs to be verified for the court record, false statements consist of for the record made by public defender Alison O'Connell states for the record.<sup>1</sup>

A. August 30, 2011-you applied for a public defender, stemming from charges filed July 14, 2011. [Att.2 ]  
**RESPONSE** . This is incorrect defendant wanted a public defender to cover charges, also filed on July 13 falsely stating defendant had resisted arrest, defendant had obstructed justice, defendant was charged with hindering a police operation, and also false charges of assaulting an officer

B. September 8, 2011-public defender, states I entered my appearance on your case, another inconsistency. There are multiple cases.

10FB

C. October 13, 2011-public defender's states, we had a telephone conversation we set up an additional phone interview.

**RESPONSE** Records will show that defendant was unable to contact public defender from that point on having to send certified, registered letters demanding a meeting. Why did the public defender wait until October 18 to contact **defendant**?

D. October 18, 2011 public defender states. I contacted you for your interview and left a voicemail. He returned my call and we had a phone interview where we discussed your case and you provided me with the names of a witness, George McDermott.

**RESPONSE** .Public defender never contacted the attorneys involved, and never subpoenaed any Sheriff's officers, never subpoenaed anyone, never contacted the U.S. Bankruptcy Court as requested by defendant. Public defender did nothing.

E. October 18, 2011. Public defender states. I telephoned George McDermott two times his number was busy and both times, and no voicemail was available.

**RESPONSE** . Public defender fails to state George McDermott contacted her office, was never recontacted. George McDermott also referred public defender to the video evidence available @secretjustice.com showing a frame up by County agents, judges and sheriffs department personnel.

F. October 26, 2011. I telephoned George McDermott two times his number was busy and no voicemail was available.

**RESPONSE** . Once again public defender is misstating the evidence.

G. October 27, 2011. I spoke with George McDermott.

**RESPONSE** .This is correct and George McDermott furnished public defender with abundance of evidence of what had preceded prior to the arrest and false charges by the sheriffs department of victim/defendant, including references to numerous videos on the Internet SEE statement @secretjustice.com. Specifically, program 319.

**RESPONSE** . This is absolutely correct public defender had made secret, clandestine meetings and false statements with the prosecutor and had misled the defendant as to the charges defendant would face when she arrived in court. Video evidence and the courts papers clearly show that she was being maliciously prosecuted by the public defender as well as the state's attorney, who told her that if she asked for jury trial, they would demand a psychological evaluation. **See video statement of defendant @secretjustice.com program 263-264**

I. October 27, 2011. Public defender states. I called Mark Simmons and left a voicemail.

J. October 28, 2011. Public defender states. I received a correspondence from Mark Simmons. Additionally I spoke with him on the phone, where he informed me that no stay was in place after the St. Francis a cc, bankruptcy filing of July.

**RESPONSE**. This is a false statement by Mark Simmons. If it was so I have video evidence of him, affirming that the stay was in place and several attorneys stating on the record that the stay was in place in court filings. Mr. Simmons will be called as a witness, then commits perjury,

then we will file a complaint of perjury. **See video statement of defendant @secretjustice.com program 263-264**

K. October 28, 2011. Public defender states, I left a voicemail regarding your trial and what I found, speaking with Mark Simmons.

**RESPONSE** .The record speaks for itself the bankruptcy court docket clearly shows there was a stay in place. Contrary to what the public defender says. **See video statement of defendant @secretjustice.com program 263-264**

L. October 31, 2011. Public defenders states. We met and discussed your case prior to entering court.

**RESPONSE**. Two witnesses will testify. The meeting was 4 min. long, and that the public defender wanted defendant to plead guilty, not to one count, but all counts she was being tried on almost 10 counts as the docket on the wall indicated public defender stated to the defendant. If you ask for jury trial, I will demand a psychological valuation of you, which she did, but failed to ask the jury trial as demanded by defendant. **See video statement of defendant @secretjustice.com program 263-264**

M. October 31, 2011. Public defender states we have, in court in front of Judge Gasparovic the states attorney review them motions to have you evaluated for competency to stand trial based on the nature of your case. Judge Gasparovic ordered a competency evaluation on an outpatient basis.

**RESPONSE** . Friend of the court was a witness to this and public defender was working hand-in-hand with the prosecutor ignoring the rights and liberties of the defendant. Public defender fails to state that visiting Judge Gasparovic was brought in because of the extreme biased and prejudiced that all judges in Calvert County had to recuse themselves because of interpersonal relationships with, Paul Monger and other officers of the court denying defendant's rights and liberties, including the public defender. **See video statement of defendant @secretjustice.com program 263-264**

N. November 1, 2011. Public defender states you had a competency evaluation with Dr. Theresa Grant.

**RESPONSE** .What the public defender fails to state is the defendant was forced to meet with Dr. Grant in a public library, not in an office. Public defender fails to mention that defendant was told to go to Florida that Dr. Grant would be issuing a letter to the court saying that she wasn't incompetent, but the trial had to be moved to a another jurisdiction because of the severe biased and prejudice in the Calvert County judicial system.

O. November 7, 2011. Public defender states, I received the competency to stand trial evaluation written by Dr. Theresa Grant. The evaluation states at this time you are currently incompetent to stand trial.

**RESPONSE** . What the public defender does not state is that defendant has asked for copies of this competency report, as it is suspect that no psychologist would interview a client in a public library in one visit and risk their professional career and license on a finding of fact based on a one and half hour total visit before declaring their client incompetent.

Finally, in public defenders closing. (She states) After receiving the evaluation by Dr. Grant the court set your case and 4719 2011 at that time, the finding by Dr. Grant will be put on the record. You will receive treatment on an outpatient basis and the court will set new court date. At the new court dates, the court will be checking on whether you are incompetent to stand trial. Once you attain competency the court will set a new trial for you in your case.

**RESPONSE** .Friend of the court believes the only incompetent people in the court room are those who would possibly believe the public defender and the prosecutor based on the overwhelming records in the U.S. Bankruptcy Court US District [Att.11] Court Maryland Courts of Special Appeals, and the courts of Calvert County in Prince George's County, Maryland. Defendant is being set up by court insiders all being employed by Calvert County, Maryland, to cover up the crimes of Calvert County police officers and sheriffs acting out under color of law and authority as well as judges.

2. For the record on December 13, 2011 Friend of the court will be reviewing the case file and delivering a date stamped copy of this motion to the public defender's office and has vigorously been trying as court records will show, to obtain competent legal counsel to represent this victim/defendant.

3. Friend of the court will be requesting copies of docket and certified papers. The docket of this court show that defendant has been denied due process rights at all times. Attachment 5 – 7. Public defender did not follow client's wishes, asking for a jury trial on counts as required.

4. Friend of the court. Respectfully request that the Hon. Judge Gasparovic take judicial notice under Maryland rule's of evidence, chapter 5. Rule 5-201 (a) (b) (d) (e) (f). of indisputable facts that the court is fully aware of and can be verified through the pacer system of the United States Bankruptcy Court in Greenbelt, Maryland.

A. Bankruptcy automatic stay was in effect, the date of the eviction conflicting with the public defenders assertions.

B. Bankruptcy filing of Jean Michaud, who had a stay in place, the case was being appealed to the US District Court Greenbelt for violations of due process rights, the bankruptcy court falsely asserting it had no jurisdiction over fraud in the court. By Paul Monger and his Associates

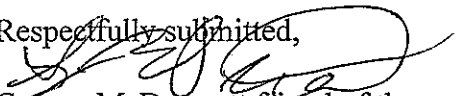
C. Friend of the court asks that the court could take judicial notice of the June 2, 2011 motion to vacate judgment of possession in circuit court for Calvert County, Maryland case number 04-c-09000851, referencing the above bankruptcy cases 11 – 18 312 PM also 11 CV 1007 PJM, which is still active.[Att.8(A)- (M) proof that the court was aware of fraud was being committed on it.

5. In conclusion, friend of the court will be seeking a grand jury investigation into the matters of the Calvert County public defender's office and prosecutor's office for failure to protect the legal and civil rights of sins. Jean Wailes Michaud as attached petition to the Calvert County state's attorney indicates [Att.9] under Blaney v. State Court of Appeals, Maryland errors to criminal court of Baltimore city Grand Jury key 26, explaining the power and authority of grand juries regarding offenses and accusations. Emphasis added

**Grand Juries have jurisdiction on their own motion to originate charges against offenders, though no preliminary proceedings having been had before a magistrate, neither the court nor the states attorney have him in the matter in charge to them.**

In closing, petitioner respectfully request that the judge in this action the Hon. visiting judge Gasparovic take judicial notice of his oath of office today against the Constitution and rule of law outlined in the entity code of Maryland, Maryland Constitution, and Maryland declaration of rights as which he has sworn under oath and allegiance to uphold and defend the rights and liberties for citizens in all proceedings coming before the court.[Att6]

Respectfully submitted,

  
George McDermott friend of the court  
Maryland court watch.com news and secret justice.com  
143 N. Huron Drive  
Forest Heights, MD 20745  
301 996-9577

Attachments support of motion.

#	Description of document	Date	Pages
1.	Fax request from defendant. Requesting pickup of documents	12/7/2011	1
2	Defendants request for alleged psychological evaluation	11/23/2011	2
3	Public defenders misstatements to the court	12/6/2011	3-4

50F6

4	Online case history showing no discovery for defendant	12/12/2011	5-7c
5.	Defenders motion to vacate judgment of possession notified the court that fraud was being committed on it.	June 2, 2011	8-8M
6	Authentic copy of oath of office of Maryland judges	10/6/2011	9A-9B
7	Notice from the US District Court, affirming case status	12/6/2011	10

Maryland rules governing fairness in proceedings.

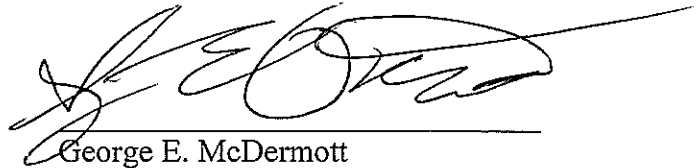
Rule 1-101 + 1-103 + 1-103 + 1-202(I) + 1-303 + 1-312 + 1-341 and 1-401, plus Maryland rules of evidence, chapter 5. Rule 5-201 (a) (b) (d) (e) (f).

**Rule 3.3. Candor Toward the Tribunal**(a) A lawyer shall not knowingly: (1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer(2) fail to disclose a material fact to a tribunal when disclosure is necessary to avoid assisting a criminal or fraudulent act by the client; (3) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or (4) offer evidence that the lawyer knows to be false. If a lawyer has offered material evidence and comes to know of its falsity, the lawyer shall take reasonable remedial measures.

### Certificate of service

I, George E McDermott, hereby certify that A copy of this motion after being filed will be filed by mail to the Hon. Judge Gasparovic, care of the clerk Of the Court, Charles County, Maryland, his home court by certified registered mail in the belief that the public defender and prosecutor will not allow this to be put into the record.

All copies will also be hand-delivered to the public defender's office as well as the states attorney's office after being date stamped into the court copies will also be mailed to the defendant and the Maryland Atty. Gen.'s office while seeking a grand jury investigation as indicated in paragraph 5.



George E. McDermott



**Big Pine Shipping**

From: r [j23michaud@aol.com]  
Sent: Wednesday, December 07, 2011 1:55 PM  
To: bigpineshipping@comcast.net  
Subject: Fwd: notary letter

OFFICE OF PUBLIC DEFENDER  
DISTRICT 04 CALVERT COUNTY  
200 DUKE STREET #2000  
PRINCE FREDERICK, MD. 20678  
FAX 410-535-8823

ATTN: ALLISON O'CONNELL,  
PLEASE RELEASE THE 2 LETTERS THAT I HAVE BEEN ASKING FOR TO A  
MR. GEORGE E. MCDERMOTT  
143 NORTH HURON DR.  
FOREST HEIGHTS, MD. 301-996-9577  
I AM GIVING YOU MY PERMISSION TO RELEASE THESE LETTERS BY A NOTARY PUBLIC HERE IN  
FLORIDA.....

- 1) I WANT A LETTER STATING THE CONVERSATION I HAD WITH YOU ON THE HEARING THAT HAS BEEN CHANGED TO DEC. 09, 2012.....WHAT IS THE REASON WHY IT WAS JUMPED AHEAD AND ALL THE DETAILS THAT YOU EXPLAINED TO ME ON THE PHONE.
- 2) I AM REQUESTING A COPY OF THE LETTER FROM DR. GRANT.....

THANK YOU,

JEAN W. MICHAUD

STATE OF \_\_\_\_\_

COUNTY \_\_\_\_\_

BEFORE ME \_\_\_\_\_ -NOTARY PUBLIC, PERSONALLY  
APPEARED \_\_\_\_\_

IDENTIFIED IN ACCORDANCE WITH \_\_\_\_\_ LAW, AND FORGOING DOCUMENT TO BE  
HIS/HER ACT IN MY

PRESENCE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20

\_\_\_\_\_  
notary pub  
my commission expires \_\_\_\_\_

*will not pick up for me*

*copy*

*ATTN*

12/7/2011

11/23/11

To Ms. O'Connell,

I FAXED YOU PROOF OF RESIDENCY LAST WEEK AND I LEFT SEVERAL MESSAGES WITH NO RESPONSE. AGAIN I HAVE TO SEND A CERTIFIED LETTER TO GET THIS MESSAGE TO YOU.

I HAVE ASKED YOU TO CALL ME, I HAVE ASKED YOU TO SEND ME BY EMAIL OR OTHER MEANS THE LETTER FROM MR. CORANT.

I HAVE SPOKEN TO HER AND SHE SAID I NEED TO GET A COPY FROM YOU. WOULD YOU PLEASE CONTACT ME ASAP.

THANKS,

JEAN MICHAEL

305-395-9211

Jean Michael

ATT 2



MARTIN O'MALLEY  
GOVERNOR

OFFICE OF THE PUBLIC DEFENDER  
DISTRICT FOUR – CALVERT COUNTY  
200 DUKE STREET, ROOM 2000  
PRINCE FREDERICK, MARYLAND 20678  
Ph. (443) 550-6800 Fax (410) 535-8823  
Toll Free Number 1-877-430-5187

PAUL B. DEWOLFE  
PUBLIC DEFENDER

CHARLES H. DORSEY, III  
DEPUTY PUBLIC DEFENDER

SHEILA J. SULLIVAN  
DISTRICT PUBLIC DEFENDER

DOROTHY GARDNER-HODGE  
DEPUTY DISTRICT  
PUBLIC DEFENDER

December 6, 2011

Jean Michaud  
20945 9<sup>th</sup> Street, West  
Cadjoe Key, FL 33042

Dear Ms. Michaud:

This letter is in response to your telephone request for an explanation about the status of your case. The following is a timeline of what has happened thus far.

August 30, 2011 – You applied for a public defender stemming from charges filed on July 14, 2011.

September 8, 2011 – I entered my appearance on your case.

October 13, 2011 – We had a telephone conversation where we set up an additional phone interview.

October 18, 2011 – I contacted you for phone interview and left a voicemail. You returned my call and we had a phone interview where we discussed your case and you provided me the name of a witness, George McDermott.

October 18, 2011 – I telephoned George McDermott two times. His number was busy both times and no voicemail was available.

October 26, 2011 – I telephoned George McDermott two times. His number was busy and no voicemail was available.

October 26, 2011 – I spoke to you via telephone where I informed you of my unsuccessful attempts to contact your witness and I relayed the State's Attorney's offer in your case.

October 27, 2011 – I spoke to witness George McDermott.

ATT 3

October 27, 2011 – I spoke to you regarding your witnesses, possible defenses and the State's offer. You rejected the States offer and wanted to proceed with a trial on October 31, 2011.

October 27, 2011 – I called Mark Sammons and left a voicemail.

October 28, 2011 – I received email correspondence from Mark Sammons. Additionally, I spoke to him on the phone where he informed me that no stay was in place after the St. Francis of Assisi's bankruptcy filing in July.

October 28, 2011 – I left you a voicemail regarding your trial and what I found speaking to Mark Sammons.

October 31, 2011 – We met and discussed your case prior to entering Court.

October 31, 2011 – We appeared in Court in front of Judge Gasparovic. The State's Attorney renewed their Motion to have you evaluated for competency to stand trial based on the nature of the case. Judge Gasparovic ordered a competency evaluation on an out patient basis.

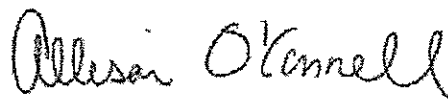
November 1, 2011 – You had a competency evaluation with Dr. Teresa Grant.

November 7, 2011 – I received the Competency to Stand Trial Evaluation written by Dr. Teresa Grant. The Evaluation states at this time you are currently incompetent to stand trial.

After receiving the evaluation by Dr. Grant, the Court set your case in for December 19, 2011. At that time, the finding by Dr. Grant will be put on the record. You will receive treatment on an outpatient basis and the Court will set new court dates. At the new court dates, the Court will be checking on whether you are still incompetent to stand trial. Once you attain competency the Court will set a trial date in your case.

If you have any further questions, please feel free to contact me at 443-550-6804.

Sincerely,



Allison O'Connell  
Assistant Public Defender

AMO:kfs

ATT 4

## DISTRICT COURT OF MARYLAND

[Go Back](#)

## Case Information

Court System: **DISTRICT COURT FOR CALVERT COUNTY - CRIMINAL SYSTEM**  
 Case Number: **0000045199** Tracking No: **100001651971**  
 Case Type: **CRIMINAL**  
 District Code: **04** Location Code: **01**  
 Document Type: **STATEMENT OF CHARGES** Issued Date: **07/13/2011**  
 Case Status: **ACTIVE**

## Defendant Information

Defendant Name: **MICHAUD, JEAN WAILES**  
 Race: **WHITE, CAUCASIAN, ASIATIC INDIAN, ARAB**  
 Sex: **F** Height: **503** Weight: **165** DOB: **08/23/1951**  
 Address: **POB 158**  
**40 BACK CREEK ROAD**  
 City: **DOWELL** State: **MD** Zip Code: **20629 - 0000**

## Court Scheduling Information

Trial Date: **12/19/2011** Trial Time: **01:00 PM** Room: **02**  
 Trial Type:  
 Trial Location: **200 DUKE STREET PRINCE FREDERICK 20678-4136**

## Charge and Disposition Information

*(Each Charge is listed separately. The disposition is listed below the Charge)*

Charge No: **001** Description: **ASSAULT-SEC DEGREE**  
 Statute: **CR.3.203** Description: **ASSAULT-SEC DEGREE**  
 Amended Date: **CJIS Code: 1 1415 MO/PLL: Probable Cause: X**  
 Incident Date From: **07/13/2011** To: **07/13/2011** Victim Age:

Charge No: **002** Description: **DISORDERLY CONDUCT**  
 Statute: **CR.10.201.(c)(2)** Description: **DISORDERLY CONDUCT**  
 Amended Date: **CJIS Code: 2 0050 MO/PLL: Probable Cause: X**  
 Incident Date From: **07/13/2011** To: **07/13/2011** Victim Age:

Charge No: **003** Description: **RESIST/INTERFERE WITH ARREST**  
 Statute: **CR.9.408.(b)** Description: **RESIST/INTERFERE WITH ARREST**  
 Amended Date: **CJIS Code: 1 0600 MO/PLL: Probable Cause: X**  
 Incident Date From: **07/13/2011** To: **07/13/2011** Victim Age:

Charge No: **004** Description: **OBSTRUCTING & HINDERING**  
 Statute: **CL** Description: **OBSTRUCTING & HINDERING**  
 Amended Date: **CJIS Code: 1 0043 MO/PLL: Probable Cause: X**  
 Incident Date From: **07/13/2011** To: **07/13/2011** Victim Age:

Charge No: **005** Description: **FAIL OBEY RENBLE/LAWFL**  
 Statute: **CR.10.201.(c)(3)** Description: **FAIL OBEY RENBLE/LAWFL**  
 Amended Date: **CJIS Code: 2 0055 MO/PLL: Probable Cause: X**  
 Incident Date From: **07/13/2011** To: **07/13/2011** Victim Age:

## Related Person Information

*(Each Person related to the case other than the Defendant is shown)*

Name: **ROCHE SURETY & CAS CO INC**  
 Connection: **SURETY**  
 Address: **AB11-062495**  
**1910 ORIENT ROAD**  
 City: **TAMPA** State: **FL** Zip Code: **33619**

Name: **BRADLEY, E A**  
 Connection: **COMPLAINANT/POLICE OFFICER**  
 Agency Code: **ZD** Agency Sub-Code: **04** Officer ID: **3932**

Name: **YOST, COLETTE D**  
 Connection: **BAILBONDSMAN**  
 Address: **14624 MAIN STREET**  
 City: **UPPER MARLBORO** State: **MD** Zip Code: **20772**

*Att 5*

Name: OCONNELL, ALLISON M  
Connection: ASSISTANT PUBLIC DEFENDER  
Address: 200 DUKE STREET #2000  
City: PRINCE FREDERICK State: MD Zip Code: 20678 - 0000

## Event History Information

Event	Date	Comment
DOCI	07/13/2011	SC ISSUED 110713
INIT	07/13/2011	110713;00010000.00;HDOB;010;PCT ;4055
CMIT	07/13/2011	DEFENDANT COMMITTED;110713;CCC
BALR	07/14/2011	110714;00010000.00;HDOB;010;PCT ;9U4
CMIT	07/14/2011	DEFENDANT COMMITTED;110714;CCC;
BOND	07/15/2011	110715;00010000.00;CORP;076998;0M;100
RELS	07/15/2011	DEFENDANT RELEASED FROM COMMITMENT

*This is an electronic case record. Full case information cannot be made available either because of legal restrictions on access to case records found in Maryland rules 16-1001 through 16-1011, or because of the practical difficulties inherent in reducing a case record into an electronic format.*

ATK

Event	Date	Comment
WARI	07/14/2011	110714;ZD 04 ;2;ARR;D10111746-1
WARS	07/14/2011	110714;D10111746-1;
INIT	07/14/2011	110714;00000000.00;ROR ;100; ;4055

*This is an electronic case record. Full case information cannot be made available either because of legal restrictions on access to case records found in Maryland rules 16-1001 through 16-1011, or because of the practical difficulties inherent in reducing a case record into an electronic format.*

Att?

## DISTRICT COURT OF MARYLAND

[Go Back](#)

## Case Information

Court System: **DISTRICT COURT FOR CALVERT COUNTY - CRIMINAL SYSTEM**  
 Case Number: **5000045218** Tracking No: **111001327485**  
 Case Type: **CRIMINAL**  
 District Code: **04** Location Code: **01**  
 Document Type: **WARRANT** Issued Date: **07/14/2011**  
 Case Status: **ACTIVE**

## Defendant Information

Defendant Name: **MICHAUD, JEAN WAILES**  
 Race: **WHITE, CAUCASIAN, ASIATIC INDIAN, ARAB**  
 Sex: **F** Height: **504** Weight: **165** DOB: **08/23/1951**  
 Address: **40 BACK CREEK ROAD**  
 City: **DOWELL** State: **MD** Zip Code: **20629 - 0000**

ALIAS: **MICHAUD, JEAN WAILES**  
 Address: **P.O. BOX 158**  
 City: **DOWELL** State: **MD** Zip Code: **20629 - 0000**

## Court Scheduling Information

Trial Date: **12/19/2011** Trial Time: **01:00 PM** Room: **02**  
 Trial Type:  
 Trial Location: **200 DUKE STREET PRINCE FREDERICK 20678-4136**

## Charge and Disposition Information

*(Each Charge is listed separately. The disposition is listed below the Charge)*

Charge No: **001** Description: **ANIMAL CRUEL FAIL: PROVIDE**  
 Statute: **CR.10.604.(a)(5)(ii)** Description: **ANIMAL CRUEL FAIL: PROVIDE**  
 Amended Date: CJIS Code: **1 0503** MO/PLL: Probable Cause: **X**  
 Incident Date From: **01/06/2011** To: **01/06/2011** Victim Age:

Charge No: **002** Description: **ANIMAL CRUEL FAIL: PROVIDE**  
 Statute: **CR.10.604.(a)(5)(ii)** Description: **ANIMAL CRUEL FAIL: PROVIDE**  
 Amended Date: CJIS Code: **1 0503** MO/PLL: Probable Cause: **X**  
 Incident Date From: **03/04/2011** To: **03/04/2011** Victim Age:

Charge No: **003** Description: **ANIMAL CRUEL FAIL: PROVIDE**  
 Statute: **CR.10.604.(a)(5)(ii)** Description: **ANIMAL CRUEL FAIL: PROVIDE**  
 Amended Date: CJIS Code: **1 0503** MO/PLL: Probable Cause: **X**  
 Incident Date From: **07/13/2011** To: **07/13/2011** Victim Age:

Charge No: **004** Description: **ANIMAL CRUELTY**  
 Statute: **CR.10.604.(a)(1)(2)(3)** Description: **ANIMAL CRUELTY**  
 Amended Date: CJIS Code: **1 0500** MO/PLL: Probable Cause: **X**  
 Incident Date From: **07/13/2011** To: **07/13/2011** Victim Age:

Charge No: **005** Description: **ANIMAL CRUELTY: INFLICT**  
 Statute: **CR.10.604** Description: **ANIMAL CRUELTY: INFLICT**  
 Amended Date: CJIS Code: **1 0502** MO/PLL: Probable Cause: **X**  
 Incident Date From: **07/13/2011** To: **07/13/2011** Victim Age:

## Related Person Information

*(Each Person related to the case other than the Defendant is shown)*

Name: **DICHTER, ACO C**  
 Connection: **COMPLAINANT**

Name: **OCONNELL, ALLISON M**  
 Connection: **ASSISTANT PUBLIC DEFENDER**  
 Address: **200 DUKE STREET #2000**  
 City: **PRINCE FREDERICK** State: **MD** Zip Code: **20678 - 0000**

## Event History Information

Att 7



DISTRICT COURT OF MARYLAND

[Go Back](#)

Case Information

Court System: **DISTRICT COURT FOR CALVERT COUNTY - CRIMINAL SYSTEM**  
Case Number: **2000044592** Tracking No: **042008170890**  
Case Type: **CRIMINAL**  
District Code: **04** Location Code: **01**  
Document Type: **CITATION** Issued Date: **07/13/2011**  
Case Status: **ACTIVE**

Defendant Information

Defendant Name: **MICHAUD, JEAN WAILES**  
Race: **WHITE, CAUCASIAN, ASIATIC INDIAN, ARAB**  
Sex: **F** Height: **504** Weight: **165** DOB: **08/23/1951**  
Address: **40 BACK CREEK RD**  
City: **DOWELL** State: **MD** Zip Code: **20629 - 0000**

Court Scheduling Information

Trial Date: **12/19/2011** Trial Time: **01:00 PM** Room: **02**  
Trial Type:  
Trial Location: **200 DUKE STREET PRINCE FREDERICK 20678-4136**

Charge and Disposition Information

*(Each Charge is listed separately. The disposition is listed below the Charge)*

Charge No: **001** Description: **ANIMAL CONTROL VIOLATION**  
Statute: Description:  
Amended Date: CJIS Code: **MO/PLL: X** Probable Cause:  
Incident Date From: To: Victim Age:

Related Person Information

*(Each Person related to the case other than the Defendant is shown)*

Name: **DENTON, C ACO**  
Connection: **COMPLAINANT**

Name: **OCONNELL, ALLISON M**  
Connection: **ASSISTANT PUBLIC DEFENDER**  
Address: **200 DUKE STREET #2000**  
City: **PRINCE FREDERICK** State: **MD** Zip Code: **20678 - 0000**

Event History Information

Event	Date	Comment
DOCI	07/21/2011	CIT ISSUED 110713

*This is an electronic case record. Full case information cannot be made available either because of legal restrictions on access to case records found in Maryland rules 16-1001 through 16-1011, or because of the practical difficulties inherent in reducing a case record into an electronic format.*

Att 7

FILED

JUN 11 2 41 PM '11

IN THE CIRCUIT COURT OF CALVERT COUNTY MARYLAND

CALVERT COUNTY, MARYLAND  
CIRCUIT COURT

) ref. Bk Case # 11-18312

) ref. Fed Case No. PJM 11 CV 1007

) Circuit Court #04 C 09000851

JEAN WAILES MICHAUD,  
Movant

WILLIAM A. GOTTLEID, Jr.  
Movant

vs.

PAUL MONGER  
Respondent

**MOTION TO VACATE JUDGMENT OF POSSESSION  
AND  
MOTION FOR EMERGENCY STAY OF EVICTION**

Comes now Jean Wailes Michaud and William A. Gottleid, Jr., Movants, and for cause moves this honorable court to vacate its Judgment of Possession entered May 14, 2010 and moves this Court to grant an emergency stay of eviction scheduled for June 6, 2011.

**REASONS FOR EMERGENCY STAY OF EVICTION**

Mr. Monger plans to evict Movants from their home and the eviction will result in loss of considerable equity in their home, potentially fatal impact to Movant Mr. Gottleid's health, which is very precarious, and loss of a family homestead of many years. An eviction is SCHEDULED for June 6, 2011. Belief that eviction will continually be attempted is based on several attempted evictions in the past, including immediately after the December 2010 court hearing to ratify the foreclosure auction sale. Threatened bodily harm is severe health consequences for Mr. Gottleid, who has diabetes, a heart condition and is elderly and disabled.

Damages alone will not restore plaintiff because purchaser has indicated an intent to build an apartment building on the land, which would destroy what Movant once enjoyed completely, even if the illegal foreclosure sale were to be eventually reversed and possession restored to Movants.

AH8 (A)

Respondent is not a bona fide purchaser for value. The advertisement for the foreclosure auction of this property did not adequately describe the property as it may be developed by having an apartment building built on it. See Exhibit D. The property is zoned such that multiple units can be built upon it. The boundaries of the parcel of land that was foreclosed on is vague and inconsistent with county records. There are three parcels of land, and the foreclosure notices do not specify which one has been foreclosed on and therefore the foreclosure and its subsequent sale should be set aside and the eviction should be restrained.

Appraisal of property was performed by residential appraiser, and the property is zoned for mixed use of commercial and residential and should be performed by a licensed general appraiser and therefore the foreclosure sale should be set aside and the eviction should be restrained. Mr. Monger is also not a bona fide purchaser for value in that he had prior notice that there was an issue between the mortgage company and Movant by talking to her. Movant informed him at that time that she was in a modification program for her loan and was assured by her bank that she would not be foreclosed on by them.

The foreclosure sale was illegal because the value paid for the property was too far below market value. The Calvert County tax assessment shows that the property is valued at \$759,620.00. That amount is far above the amount paid at auction, \$400,000.00. The auction sale was ratified in February 1, 2010.

Threatened harm to Movants outweigh any harm to Respondent because this has been a family home for many years, the ruined credit will make buying a new home or renting one impossible, there is reasonable belief that the home will be leveled to make room for the construction of an apartment building, and the shock of an eviction will be injurious to Mr. Gottfried's health, which is very frail as he has diabetes, a heart condition and is disabled. Respondent has only to wait to hear whether he will gain possession of the property, which is not irreparable harm.

There is no public interest that will be contravened by granting this Motion. in fact, just the opposite.

Fraud on this loan can be demonstrated by the signature of notorious robo signer Barbara Hindman, who signed affidavits as both Vice President of MERS and as attorney in fact for Bank of America, a clear conflict of interest. Additionally, the irregularities filed in the original Statement of Debt with the Court are enough for the Court to declare the foreclosure sale flawed. See Jacob Geesing, et. al. vs. Sandra A. Crawford, in the Circuit Court for Kent County, Case No. 14-C-10-8272.



Further, Shapiro & Burson prepared an Assignment dated May 22, 2009, ('ASSIGNMENT'), with MERS as the Assignor transferring the Deed of Trust (mortgage) to JP Morgan Chase Bank, National Association. May 22, 2009, is the same date Shapiro et al were named as Substitute Trustees. This effectively ensured for Shapiro et al that the party alleged in the APPOINTMENT as holder of the note would be JP Morgan Chase Bank, National Association.

Simultaneously, MERS in its capacity as the electronic database company recording ownership and servicer information on over 55 million loans nationally, lists atop the ASSIGNMENT an 18-digit number noted as 'MIN'. It is 100194430013229664. This 'MERS Servicer ID' or MIN, as it is known, tracks ownership and servicing of mortgages and qualifies the loan's listing as active with MERS registration. In Movants' case, when that number is entered at the MERS Servicer ID Website, the results indicate that FDIC as Receiver for Washington Mutual Bank is the investor; 'Investor' is synonymous with the terms 'secured party' and 'holder of the note' 'Note Holder' and 'Owner of the Note'. (see EXHIBIT L) The result of this is that anyone entering the MERS MIN listed atop the ASSIGNMENT would discover that any party named as Assignor in any assignment involving this property on May 22, 2009, would have to be, not MERS, but FDIC as Receiver for Washington Mutual Bank.

Further, the Assignee would have to be a party other than JP Morgan Chase Bank, National Association, because the Notice of Intent to Foreclose (NOI) that loan servicer WAMU itself issued to these borrowers on March 31, 2009, lists the secured party as JP Morgan Chase Bank, National Association. In light of this document, no assignment to JP Morgan Chase Bank, National Association would be necessary.

It is clear that the Note doesn't follow the Deed of Trust in this case. It is clear that MERS itself cannot ever, according to its own public pronouncements and sworn testimonies in numerous depositions, hold anything nor transfer anything, as it is an electronic software company whose function is electronically tracking loan servicing and ownership; and this 'ASSIGNMENT' is supremely defective at any rate.

If one accepts the NOI's listing on March 31, 2009, of JP Morgan Chase Bank, National Association, then admittedly, the Note would need not reflect an endorsement from Washington Mutual Bank, the party named as owner of the Note in a December 4, 2007, Deed of Appointment of Substitute Trustees' because JP Morgan Chase & Co. acquired all assets of Washington Mutual Bank on September 25, 2008. However, the Note must nonetheless reflect an endorsement from

Fremont, the loan originator, to over to Washington Mutual Bank, and the 'true and accurate copy' of the Note Shapiro et al provided in their Order to Docket contained not a single endorsement.

The profoundly blatant fraudulent signatures involving Burson; this is what began the investigation that's revealed over 1000 DEFECTIVE Foreclosure Deeds involving Burson.

Documents in Movants' Order to Docket containing signatures of John Burson:

- Supplemental Memorandum Response filed Dec 15, 2010 (contains 3 Burson signatures)
- Settlement Statement dated 3/12/10
- Deed dated March 12, 2010, between John S. Burson and Paul Monger. Note that the Deed is dated 3/12/10 but the Notary Affidavit is dated 3/15/10
- Exempt to Due Foreclosure Form.

All of Burson's signatures are consistent with one another except for the signature on Deed which is the legal document transferring ownership of the property to Monger.

Provision 22 of Movants' Deed of Trust clearly provides for no commission for the Substitute Trustees, meaning Shapiro et al; the Auditor's Report ratified August 18, 2010 must be reviewed in order to see whether or not this was honored. If any commissions are listed for the Sub Trustees, then there is fraudulence in exchange of payments/monies.

In violation of Rule 14-207(b), the Trustees purposefully submitted defective and bogus affidavits to the Court in this case. Trustees have proceeded to sale and to this stage of the proceeding based upon papers and affidavits which have already been determined by the Circuit Court for Calvert County, Maryland, to be defective and improper. These improper and defective affidavits, purportedly signed by Vedic and Barbara Hindman, were used to obtain the jurisdiction of the Court and to maintain foreclosure actions against Ms. Michaud. However, in a final Order of the Court for Howard County in the matter of Geesing v. Willson the Court ruled that such form affidavits are improper and cannot properly maintain a foreclosure act in a Maryland Court.

Rule 14-207.1, an emergency rule, allows the courts to screen affidavits in foreclosure cases, and if the courts have



reason to believe that the affidavits are invalid, to investigate and potentially dismiss the foreclosure actions.

Notice of the foreclosure sale of September 22, 2009 was addressed to Jean Michaud, who is not the person who was given the mortgage loan.

There is extrinsic and intrinsic fraud in this case, fraud in the notice of sale of the property, fraud in the foreclosure process as the mortgage company told Ms. Michaud to stop making mortgage payments on her home to qualify for a HAMP program for mortgage borrowers, and then foreclosed on her loan. The mortgage note was never produced after repeated requests, and actual possession and transfer of the note was never recorded per Maryland law. Affidavits entered into to the Court were fraudulent, as seen in attached documentation regarding "robo signers."

Respondent has profited from repeated fraud upon the court in this case in Maryland and is not in the chain of title because title was never transferred to him.

LaSalle Bank v Reeves states "The Fifth Amendment provides that no person "shall be deprived of...property, without due process of law." Maryland's Declaration of Rights contains a similar provision. The Fourteenth Amendment contains a similar limitation on state action. The concept of procedural due process implies that a decision-maker's action must meet minimum standards of fairness to the individual.

That includes the right of adequate notice and a meaningful opportunity to be heard before the decision is made. Due Process means that a decision-maker may not deprive a person of a property right without giving the party fair warning of the limits of permissible conduct. Nor can they or he not provide the party a reasonable opportunity to know and challenge the decision-maker's ruling before it becomes final. *Goldberg v Kelly* 397 U.S. 254 (1970). *Perry v Sindermann* 408 U.S. 593 (1972).

It is Defendant's point here that she has no less procedural Due Process rights in a civil case before state appellate judges involving property rights as she does before an administrative judge in a welfare case. The case *sub judice* involved the regulatory taking of valuable and irreplaceable property rights of a landowner, a leasee and the ensuing foreclosure on an illegal deed of trust.

Margarita Fuentes bought a Firestone gas stove and stereo in 1967 on the installment plan. She defaulted on payments when the stove stopped working. A Firestone representative went to small claims court and filed a writ of replevin



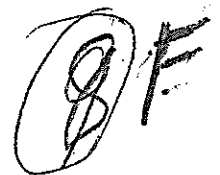
authorizing the sheriff to seize the stove and stereo. It did not require prior notification. The property was seized and the plaintiff argued she was entitled to at least a hearing before the property was repossessed.

Because the replevin procedures were authorized by state law, the suit was brought under the Fourteenth Amendment's due process clause, which restricts state action. The Fourteenth Amendment due process clause was based on the Fifth Amendment's parallel clause protecting people from unfair deprivation of their rights. The focus was on the *procedure itself* in both civil and criminal justice systems, unlike other freedoms protected in the Bill of Rights.

The origins of the due process clause can be traced back to chapter 39 of the Magna Carta. Written in 1215, it provided that "No free man shall be captured or imprisoned ...or outlawed or exiled or in any way destroyed except by lawful judgment of his peers and by the law of the land." In 1639, Maryland's Act for the Liberties of the People had essentially the same phrase substituting the words "laws of the province". The term due process of law was first coined in 1787 by the amendments to the Constitution proposed by New York State. Madison adopted the language and it became part of the Fifth Amendment. After the Civil War, the Fourteenth Amendment was adopted to restrict similar violations by the States of citizens' basic rights to life, liberty and property.

District Courts in both Florida and Pennsylvania ruled against several parties on these writs of replevin holding the Constitution did not protect property as defined by a stove, stereo, and a television antenna. The cases were combined and became known as *Fuentes v. Shevin* 407 U.S. 67 (1972). Robert Shevin was sued in his capacity as attorney general of Florida. The lawyers for Sears, Firestone, Florida, and Pennsylvania argued unsuccessfully that wages and welfare benefits were "absolute necessities of life" but consumer goods were not property under the Constitution. The court wrote: "The household goods for which the appellants contracted and paid substantial sums, are deserving of ...protection... The [due process clause] speaks of property generally."

By siding with the relatively powerless individuals against large corporate interests, the Court expressed its disdain for the type of economic oppression represented by writs of replevin. In *Fuentes v. Shevin, supra*, the Supreme Court recognized that a prior hearing imposed additional expense and burden on the state and rejected the states arguments a hearing was pointless. "The Constitution recognizes higher values than speed and efficiency... Indeed, one might fairly say of the Bill in Rights in general, and the Due Process Clause in particular, that they were designed to protect the fragile values of



a vulnerable citizenry from the overbearing concern for efficiency and efficacy that may characterize praiseworthy government officials." The court recognized exceptions as being wartime or health hazards such as food contamination not applicable in this case.

The U.S. Constitution as defined by American case law, declares "Due Process" to mean subsequent notice and hearing requirements. *Goldberg v. Kelly, supra.* " Movants herein have had their constitutional rights to due process trampled, stamped upon, and ignored, from ab initio of the foreclosure process through transfer of title to the foreclosure sale purchaser to the matters brought of both intrinsic and extrinsic fraud. This Honorable Court must intercede to stop this blatant fraud upon its judiciary and upon the Movants.

### **Evidence Proffered by Movants show Fraudulent Transfer of Title to Property**

In the past 10 days, new evidence from a forensic auditor who has been called to be an expert witness in several Maryland trials has become available to Movants. Douglas Rian, MA, CFLA, and Elizabeth Jacobson, CFLA are experts in the field of forensic audits of mortgage documents and have found that the Debtor's home was illegally and fraudulently conveyed to a third party. Their audit is attached as Exhibit 'A'. Further, the Investor's Report for the bank shows over 1 million dollars involved with this asset with conservatively \$350,000 equity in the property after the mortgage. At the time of the foreclosure sale the note was owned by Fremont Investment and Loan not WAMU or Chase. WAMU/Chase never had standing to foreclosure nor had the legal authority to transfer title from Fremont Investment and Loan to Trustees. The sale was void *ab initio*. The foreclosure was unlawful from the Order to Docket. It simply was an illegal transfer of the Movants' assets within 2 years of filing bankruptcy unjustly diminishing the Movants' estate.

The State of Maryland has the requisite state action under its Maryland Uniform Fraudulent Conveyance Act and provides for a Motion to Rescind under Md. Rule 2-535(b) in cases where there has been a fraudulent conveyance in a foreclosure sale even after a final ratified sale. The issue of fraudulent transfer of the Debtor property and lack of standing of Respondent's Motion for Relief from Stay are properly before this court *vis a vis* Maryland law, case law, and the Fourteenth Amendment.

Handwritten signature and initials, possibly "JH 85", enclosed in a circle.



The Court has referred to the following recent decision:

In Case No. 10-1483 (4th Cir. May 12, 2011) on direct appeal, the Fourth Circuit affirmed the Bankruptcy Court for the District of Maryland's holding that property (i) sold at a properly noticed foreclosure sale, (ii) with the foreclosure sale ratified by the state court, and (iii) conveyed to the purchaser pre-petition and not timely contested by the debtor was not part of Debtor's Chapter 13 bankruptcy estate even though the state court order ratifying the sale was subject to a motion to rescind under Md. Rule 2-535(b).

In Movants' case *sub judice* Movants filed all appropriate objections and appeals in a timely manner. They contested the matter at all levels and never was given a meaningful opportunity to be heard. What makes this case different is the extrinsic and intrinsic fraud involved with the court proceedings and the conveyance itself. The cases referred to by Respondent for the court presumes an inference of regularity by the banks and the even the equitable administration of state courts. In the case involving an actual fraudulent conveyance, those inferences are no longer applicable in the face of the the intrinsic and extrinsic fraud upon this Court by those from whom Respondent took title. There can be no presumption of regularity with actual fraud on the court.

The real party in interest in an action to enforce a note, no matter what court, is the owner of a note. (In securitization transactions, this would be the trustee for the "certificate holders.") When the actual holder of the note is unknown, it is impossible – not difficult but impossible – to plead a cause of action (unless the movant simply lies about the ownership of the note). Unless the name of the actual note holder can be stated, the very pleadings are defective.

Often, the servicing agent for the loan will appear to enforce the note. Assume that the servicing agent states that it is the authorized agent of the note holder, which is "Trust Number 99." The servicing agent is certainly a party in interest, since a party in interest is a very broad term or concept. *See, e.g., Greer v. O'Dell*, 305 F.3d 1297, 1302-03 (11<sup>th</sup> Cir. 2002). However, the servicing agent may



not have standing.

But, the servicing agent does not have standing, for only a person who is the holder of the note has standing to enforce the note. *See, e.g., In re Hwang*, 2008 WL 4899273 at 8.

### **Rules of evidence – a practical problem**

This structure also possesses practical evidentiary problems where the party asserting a right to foreclose must be able to show a default. Once again, Judge Bufford has addressed this issue. At *In re Vargas*, 396 B.R. at 517-19. Judge Bufford made a finding that the witness called to testify as to debt and default was incompetent. All the witness could testify was that he had looked at the MERS computerized records. The witness was unable to satisfy the requirements of the Federal Rules of Evidence, particularly Rule 803, as applied to computerized records in the Ninth Circuit. *See id.* at 517-20. The low level employee could really only testify that the MERS screen shot he reviewed reflected a default. That really is not much in the way of evidence, and not nearly enough to get around the hearsay rule.

### **Foreclosure or relief from stay**

In a foreclosure proceeding in a judicial foreclosure state, or a request for injunctive relief in a non-judicial foreclosure state, or in a motion for relief proceeding in court, the courts are dealing with and writing about the problems very frequently.

In many if not almost all cases, the party seeking to exercise the rights of the creditor will be a servicing company. Servicing companies will be asserting the rights of their alleged principal, the note holder, which is, again, often going to be a trustee for a securitization package. The mortgage holder or beneficiary under the deed of trust will, again, very often be MERS.

8J

Even before reaching the practical problem of debt and default, mentioned above, the moving party must show that it holds the note or (1) that it is an agent of the holder and that (2) the holder remains the holder. In addition, the owner of the note, if different from the holder, must join in the motion. In the case *sub judice* we do not see the owner of the note present for neither the underlying foreclosure nor the Motion for Judgment Awarding Possession.

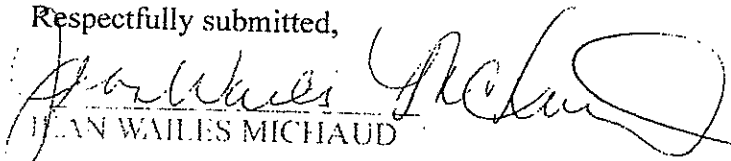
### Prayer for Relief

WHEREFORE, Movants respectfully pray, on legal and equitable grounds, that this Court:

- 1) Stay the Eviction scheduled for June 6, 2011;
- 2) Schedule an emergency hearing on this matter;
- 3) Order Paul Monger to Show Cause within thirty days why his Motion for Judgment Awarding Possession should not be dismissed;
- 4) Such other relief as the Court deems necessary and appropriate.

Dated: June 2, 2011

Respectfully submitted,



JEAN WAILES MICHAUD

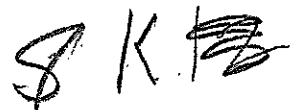
pro se  
PO Box 158  
Dowell, MD 20629  
410-326-3125  
[j23michaud@aol.com](mailto:j23michaud@aol.com)

### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on the following people and entities by first class mail, postage pre-paid upon:

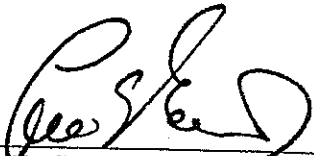
Timothy P. Branigan, Esq., Chapter 13 Trustee, PO Box 1902, Laurel, MD 20725-1902

and



ORDERED, that the Third Party Intervener's Amended Second Motion to Request the Inspection of Documents filed on July 11, 2011 is hereby **DENIED**; and it is further

ORDERED, that this case remain statistically closed.

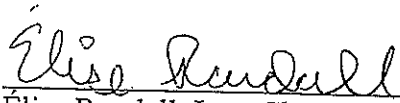
  
\_\_\_\_\_  
Leo E. Green, Jr., Judge


Copies mailed by Court to:

George McDermott  
143 N. Huron Dr.  
Forest Heights, MD 20745

Byron Lane Huffman, Esq.  
P.O. Box 369  
Columbia, MD 21045

Robert John Haeger, Esq.  
Haeger Law  
11403 Seneca Forest Circle  
Germantown, MD 20876

  
\_\_\_\_\_  
Elise Randall, Law Clerk to the  
Honorable Leo E. Green, Jr.

 JL

IN THE CIRCUIT COURT OF CALVERT COUNTY MARYLAND

JEAN WAILES MICHAUD,  
Movant  
WILLIAM A. GOTTLIED, Jr.  
Movant

vs.

PAUL MONGER  
Respondent

ref. Bk Case # 11-18312

ref. Fed Case No. PJM 11 CV 1007

Circuit Court #04 C 09000851

ORDER ON EMERGENCY STAY OF EVICTION

Having considered Defendant's Motion On Emergency Stay of Eviction and any response filed thereto,

It is by this Honorable Court,

ORDERED, that the Emergency Petition for Stay of Eviction be GRANTED,

ORDERED, that a Show Cause Order will be issued to Paul Monger to show cause why the ratification of sale should not be vacated.

Judge \_\_\_\_\_

Date:

*James P. [unclear]*  
6/3/11

True Copy Test

*Kathy P. Smith*

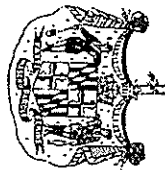
Clerk of Circuit Court

ENTERED 6/3/11 BY MDJ

COPIES OF ORDER SENT

- \_\_\_\_\_ Jean Wailes, Michaud
- \_\_\_\_\_ William A. Gottlieb, Jr.
- \_\_\_\_\_ Timothy R. Brangan Esq
- \_\_\_\_\_ Byron L. Hoffmann Esq
- \_\_\_\_\_ Paul Monger
- \_\_\_\_\_ PLLC Counsel

*JM*



# The State of Maryland

Executive Department

STATE OF MARYLAND  
OFFICE OF SECRETARY OF STATE  
ANNAPOLIS, MARYLAND 21401

# Receipt

No. 45386

Receipt Date: 10/6/2011  
Received From: George Mcdermott  
Category: Photocopies  
Amount: \$5.00  
Payment Type: Cash  
Date Printed: 10/6/2011 3:56:32 PM

By: L. Hall

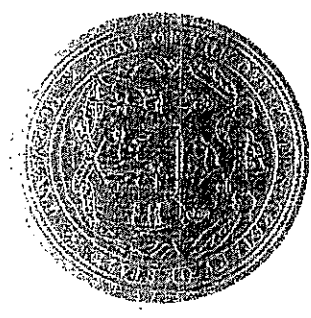


I, John P. McDonough, Secretary of State, of the State of Maryland, under and by virtue of the authority vested in me by Section 7-106 of the State Government Article of the Annotated Code of Maryland (1999 Repl. Volume), Do Hereby Certify that

The attached photocopies of the signature of the Attorney General, the Judges of the Court of Special Appeals and the Judges of the Court of Appeals are true and correct

as the same is taken from and compared with the original document now on file in my office.

In Testimony Whereof, I have hereunto set my hand and have caused to be affixed the official seal of the Secretary of State at Annapolis, Maryland, this 6th day of October in the year two thousand and eleven.



John P. McDonough  
Secretary of State

9A

JUDICIAL OATH

I, Peter B. Krauser do swear affirm, that I will support the Constitution of the United States, and that I will be faithful and bear true allegiance to the State of Maryland and support the Constitution and Laws thereof; that I will, to the best of my skill and judgement, diligently and faithfully, without partiality or prejudice, execute the Office of Chief Judge of the Court of Special Appeals according to the Constitution and Laws of this State, and that I will not directly or indirectly, receive the profits or any part of the profits of any other office during the term of my acting as such Judge.

Peter B. Krauser  
Chief Judge of the Court of Special Appeals

I declare my belief in the Existence of God  
(If you do not believe in the existence of God, you may omit this declaration.)

Peter B. Krauser

Sworn to and subscribed before the undersigned, Governor of the State of Maryland, at the City of Annapolis, this 17th day of December in the year of our Lord, Two Thousand Ten

[Signature]  
Governor of Maryland

9 B

JUDICIAL OATH

I, [Name] do swear affirm, that I will support the Constitution of the United States, and that I will be faithful and bear true allegiance to the State of Maryland and support the Constitution and Laws thereof; that I will, to the best of my skill and judgement, diligently and faithfully, without partiality or prejudice, execute the Office of [Office] according to the Constitution and Laws of this State, and that I will not directly or indirectly, receive the profits or any part of the profits of any other office during the term of my acting as such Judge.

[Signature]

I declare my belief in the Existence of God  
(If you do not believe in the existence of God, you may omit this declaration.)

[Signature]

Sworn to and subscribed before the undersigned, Governor of the State of Maryland, at the City of Annapolis, this [Day] day of [Month] in the year of our Lord, Two Thousand [Year]

[Signature]  
Governor of Maryland

A 7 4



UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
OFFICE OF THE CLERK

Felicia C. Cannon, Clerk of Court  
Jarrett B. Perlow, Chief Deputy  
Elizabeth B. Snowden, Chief Deputy

Reply to Southern Division Address

December 6, 2011

William A. Gottleid, Jr.  
40 Back Creek Road  
Dowell, MD 20629

Jean W. Michaud  
40 Back Creek Road  
Dowell, MD 20629

RE: Gottleid et al. v. J.P. Morgan Chase Bank NA, et al.  
Civil No. PJM 11-cv-1007

Dear Plaintiffs:

The Defendant, J.P. Morgan Chase Bank, NA, has filed a motion to dismiss or for summary judgment. If this motion is granted, it could result in the dismissal of your case or the entry of judgment against you.

You have the right to file a response to this motion within seventeen (17) days from the date of this letter. Your response should respond to and explain the facts or matters stated in the motion, but please note that Local Rule 105.3 limits the length of a memorandum to 50 pages, excluding affidavits, exhibits, and attachments. If appropriate, your response may include affidavits (statements made under oath); declarations (statements made subject to the penalty of perjury under 28 U.S.C. § 1746); or other materials contesting the affidavits, declarations, or records filed by the defendant(s).

You must send a copy of all materials filed in your response to all other parties or, if represented, to their attorneys. Please include a certificate of service with the response you file with this Court. Your certificate of service should state that you mailed a copy of your response to them, how you mailed the copy, and when you mailed the copy.

If you do not file a timely written response, the Court may dismiss the case or enter judgment against you without further notice. For your reference, a copy of Federal Civil Rules 12 and 56, which govern a motion to dismiss or summary judgment, are attached to this letter.

Sincerely,

FELICIA C. CANNON, CLERK

By:

Isf  
Katie Nader, Deputy Clerk

Enclosures

cc: Opposing Counsel

U.S. District Court (Rev. 05/2010)

Northern Division • 4228 U.S. Courthouse • 101 W. Lombard Street • Baltimore, Maryland 21201 • 410-962-2600  
Southern Division • 200 U.S. Courthouse • 6500 Cherrywood Lane • Greenbelt, Maryland 20770 • 301-344-0660

Visit the U.S. District Court's Website at [www.mdd.uscourts.gov](http://www.mdd.uscourts.gov)

Att 11