

Tom Kibler
c/o 1694 Valerie Lane
St. Paul Minnesota
Near [55112]

To: Wilford Geske Cook etal

7616 Currell Blvd. # 200

VOID 62-cv-19-4041

Woodbury MN 55125

NOTICE of Racketeering/RICO, FAIR WARNING

NOTICE TO AGENT IS NOTICE TO PRINCIPAL. NOTICE TO PRINCIPAL IS NOTICE TO AGENT

cc- Patrick Lovell, Steve Dibert, Bruce Jacobs, Alphonse Faggiolo, Steve Emerson, Brandon Sibley

cc- Keith Ellison, Jeff Shorba, Lorie Gildea, Ryan O'Connor, Bob Fletcher, Andrew Luger, Tim Walz

cc- Randhir Ghandi, Mary Mensch, CFPB Ombudsman, Kristina Rose, Michael Paul,

[Home | 1694ValerieLaneNew \(1694valerielanewbrightonmn.com\)](http://1694ValerieLaneNew (1694valerielanewbrightonmn.com))

Greetings to “you”, Wilford etal-

We thank you for the unauthorized, unsigned, threatening correspondence (constituting harassment, coercion, extortion, scheme or artifice to defraud, attorney misconduct [481.071], abuse of legal process, mail fraud and more cf [18 USC 876], FDCA violations, conspiring to criminal commercial activity, trafficking of counterfeit instruments, false and misleading statements, false bank entries, fictitious obligations, banking crimes, racketeering, grand theft, attorney misconduct) dated 6/13/22, and received on 6/21/22;

First we first need to know who “you” is: Are you Lawrence Wilford? James Geske? Eric Cook? Michael Sauer? Orin Kipp? Paul Hayes? Are you somebody else? Kindly clarify who we are communicating with.

Is your Professional Liability coverage still through Wesco? Where is your General Liability? Where is your Umbrella policy? What are the policy numbers? Kindly send us copies of your declaration pages, or certificates of insurance.

In the meantime, we must first clarify that in fact your correspondence is egregiously in error; “you” are either a knowing and willing participant in a **felonious racketeering scheme**, or you are being used as a dupe.

We shall give you the benefit of a doubt for the time being that it may be the latter; just know that **ALL persons concerned in executing (issuing or enforcing) Void judgments or sentences, are considered, in**

Law, as trespassers. By extension, all parties also become accessories to crimes. All agents acting as accessories are accountable.

We are the lawful owners of our land and private property. We are the sole allodial, and heir and assign of the 1855 original land patent. Fraudulent conveyances [MN 513.08] cannot ever change that (they do however, constitute trespass, by all parties involved), and all trespassers to property and title take on liability.

There is NO requisite nexus between me and the fictitious plaintiffs, not contractual, not legal, and not equitable. No contract with them, NO debt or obligation to them.

You are asking then, how could Richard H. Kyle junior issue a void summary judgment in the face of a stack of material fact issues (chiefly *who are these folks?*) and NO verified claim, NO authenticated witness and NO competent fact witness? How could he blatantly deny right to due process? (in violation of my fundamental rights and his oath; and fiduciary duties and obligations, as trustee to the people?)

Many have that exact same question...Was he bribed? Was he threatened? Is he simply incompetent? [28 USC 454]

The exact same questions apply to “judge” Laura Nelson. How could she refuse to vacate? It matters not, void [ab initio] judgment never happened. How did she purport to “confirm” the fake “sale” that Officer Marshall had NO authority to conduct? [MN 513.08]

Any answer cannot change the fact that a void judgment is a nullity, of no legal force or effect, meaningless, unenforceable.

The proceedings of a court without jurisdiction of the subject matter are a nullity; that is, when a court decides a matter without jurisdiction, the whole proceeding is as if it had never happened. Stated alternately, proceedings conducted or decisions made by a court are legally void when there is an absence of jurisdiction over the subject matter.

If there is an absence of jurisdiction over either the person or the subject matter, a court has no power to act. If a trial court lacks subject-matter jurisdiction, it does not have the authority to proceed or resolve the claims. A court devoid of jurisdiction over the case cannot hear the case, address or consider the merits of the case, cannot make a decision or order in favor of either party, and cannot render a summary judgment, as such a decision would be on the merits of the action. It can only dismiss the case for want of jurisdiction.

Subject matter jurisdiction is the indispensable foundation of a court’s power to adjudicate the issues in a particular case.

A judgment by a court cannot be affirmed where the court had no right to act.

If a claim is not within a court's jurisdiction and the impediment to jurisdiction cannot be removed, it must be dismissed.

The lack of subject-matter jurisdiction to render a final judgment cannot be cured.

If a court lacks jurisdiction, any judgment rendered in that proceeding is invalid, and any opinion in the case is a nullity.

Jurisdiction is essential to the exercise of judicial power, and unless the court has jurisdiction, it lacks any authority to proceed, and any decision, judgment, or other order is, as a matter of law, utterly void and of no effect for any purpose.

"The law has placed the collective force at the disposal of the unscrupulous who wish without risk, to exploit the person, liberty and property of others. It has converted plunder into a (perceived) right, in order to protect plunder. And it has converted lawful defense into a crime, in order to punish lawful defense." ~ Frederic Bastiat.

Picture a pendulum, having just touched its apex of corruption and criminality, reversing a decade plus of dishonesty being rewarded, and exposing scandalous illegitimacy and public racketeering, now rapidly accelerating into vindication and justice.

That is exactly the point we are at today:

"A frequent recurrence to fundamental principles, and a firm adherence to justice, virtue and original law; are indispensably necessary to preserve the blessings of liberty and good government." Charles Weismann - maxim 51q

"The main objective of government is the protection and preservation of personal property, private rights, public liberties and upholding the law of God." - maxim 51p

We sent a notice of void judgment to the court/the clerk. Kevin Dobie and his fictitious plaintiffs with aggravated forgeries/trafficking in counterfeit instruments never had standing to sue regarding their false claim; *"judge" Kyle never had jurisdiction* to make a ruling, **NO** verified complaint, **NO** injured party (**NO** standing to sue), **NO** authenticated evidence, and **NO** competent witness with firsthand knowledge, and available for cross examination; **assuming facts not in evidence and practicing law from the bench is a violation of his oath, my fundamental rights, and is a crime [28 USC 454]**; Without standing the case is moot, without subject matter jurisdiction Kyle is without immunity.

Void judgment is one rendered in absence of jurisdiction over subject matter or parties, cf [310 N.W. 2d 502, (Minn. 1981)].

A void judgment is one rendered in absence of jurisdiction over subject matter or parties, cf [Lange v. Johnson, 204 N.W.2d 205 (Minn. 1973)].

Going back to basics: pettifogger shyster 101, a summary judgment motion means that examining the facts in the light most favorable to the non-moving party all the relevant facts are so clear and so

favorable to the moving party that they eliminate any possibility of the non-moving party being successful in this litigation. Few cases ever meet this criterion!

Certainly NOT this one, Steve Wonder can see through Kyle and Dobie.

When public servants become part of a racketeering scheme, that is not a get out of jail free card for the other criminals; it merely adds more parties to the crimes and it adds more liabilities to the parties.

judge” Nelson never had authority to deny vacating the void judgment, rather that was her duty, which she neglected; When rule providing for relief from void judgments is applicable, relief is not discretionary matter, but is mandatory, cf [Orner v. Shalala, 30 F.3d 1307, (Colo. 1994)].

Judgments entered where court lacked either subject matter or personal jurisdiction, or that were otherwise entered in violation of due process of law, **must be set aside; subject matter can never be presumed, never be waived, and cannot be constructed even by mutual consent of the parties.**

Officer Marshall never had authority to fraudulently conduct a “sale” to Dobie; and Nelson had no authority to “confirm” the invalid sale, or to ignore my challenge to jurisdiction, or the fact that statute of limitations was long expired [MN 336.3-118]; all of these are void [ab initio].

SCOTUS in [Hagans v. Lavine, 415 US 533] also said that “*The law requires proof of jurisdiction to appear on the record...*”, and in [Melo v. U.S., U.S. v Will, Cohens v. Virginia, Joyce v US, Maine v. Thibotout] and more, SCOTUS echoed the same “*Jurisdiction once challenged, cannot be presumed/assumed and must be proven...a court cannot confer jurisdiction where none existed...when a judge acts where he or she does not have the jurisdiction to act, the judge is engaged in an act or acts of treason.*”

No “judge” may discretionally “claim” jurisdiction, it does not work that way; either it exists and is proven on and for the record, or it does not and is not. It’s that simple.

A court lacks discretion to consider the merits of a case over which it is without jurisdiction. Period.

Even where a court HAD jurisdiction, if an intervening circumstance deprives the plaintiff of a personal stake in the outcome at any point in the proceeding, the case must be dismissed as moot. Cf [Campbell Ewald Co. v Gomez 136 S. Ct. 633].

SCOTUS in [Tyler v. Judges of the Court of Registration 179 US 405] admonished: ***The duty of this court, as of any tribunal, is limited to determining Rights of persons or of Property, which are actually controverted.***

“Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process.”

- Federal Rules of Civil Procedure, Rule 60(b), (4), Minnesota Court Rule 60.02d.

Void judgment - One which has no legal force or effect; invalidity of which may be asserted at any time and any place; one which from its inception is absolutely null; ineffectual to bind parties; without legal efficacy; a nullity, of no legal force or effect, unenforceable, void [ab initio] from the beginning; incapable of confirmation, ratification or enforcement in any manner or to any degree; one that has

merely semblance without some essential elements, as want of jurisdiction or failure to have real party in interest in court;

A void judgment is not entitled to the respect accorded a valid adjudication, but may be entirely disregarded...It is attended by none of the consequences of a valid adjudication. It has no legal or binding force or efficacy for any purpose or at any place... It is not entitled to enforcement...All proceedings founded on the void judgment are themselves regarded as invalid.

30A Am. Jur. Judgments 44, 45;

Trespass- (from Black's Law 4th edition): Doing of unlawful act or of lawful act in unlawful manner to injury of another's person or property; an injury or misfeasance to the person, property or rights of another; it comprehends not only forcible wrongs, but also acts the consequence of which make them tortuous; Doing of an unlawful act or of lawful act in unlawful manner to injury of another's person or property...in practice a form of action, at the common law **which lies for redress in the shape of money damages for any unlawful injury** done ...in respect either to (his) person, property, or rights...

Extort - To compel or coerce; by means of threats to person, property or reputation; oppression of right;

Injury - Any wrong or damage done to another, either in his person, rights or property;

Misfeasance - A misdeed or trespass; a wrong;

No cause of action may arise from fraud; he who comes onto equity must come with clean hands; fraud vitiates all; even the most solemn contracts or judgments.

To commit wrong is unlawful, your legal society agrees:

[MN 481.071] MISCONDUCT BY ATTORNEYS: Every attorney or counselor at law who shall be guilty of **any deceit or collusion**, or shall consent thereto, with intent to deceive the court or any party...**shall be guilty of a misdemeanor and, in addition to the punishment prescribed by law therefore, shall forfeit to the party injured treble damages...**

[MN 609.27] COERCION: a threat to unlawfully inflict damage to the property of the person threatened; **Sentence. Whoever violates subdivision 1 may be sentenced as follows:**

(1) to **imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000, or both** if neither the pecuniary gain received by the violator nor the loss suffered by the person threatened or another as a result of the threat exceeds \$300, or the benefits received or harm sustained are not susceptible of pecuniary measurement;

(2) to **imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both**, if such pecuniary gain or loss is more than \$300 but less than \$2,500;

(3) to **imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both**, if such pecuniary gain or loss is \$2,500, or more;

[Title 15 USC 1601] etc. (Fair Debt Collection Act) allows for possible damages at **\$1,000 statutory, per issue**, with **uncapped punitive or exemplary damages**. Discretion is intent, taking money/property out of false pretenses/fraud:

[18 U.S.C. 1005]- BANK ENTRIES (false) - a **fine not exceeding \$1,000,000, imprisonment not more than 30 years, or both.**

[15 U.S.C. 78FF] - False and Misleading Statements, a **fine not exceeding \$5,000,000, imprisonment not more than 20 years, or both.**

[15 U.S.C 1-3] - Conspiring to Criminal Commercial Activity, a **fine not exceeding \$100,000,000, imprisonment not more than 10 years, or both.**

[18 USC 2320] - **Trafficking in Counterfeit Goods or Services has penalties of up to 20 years in prison, up to \$15,000,000 in fines, or both.**

[12 USC (Banking/Crimes) 1843- 1847] Penalties:

(a) Criminal penalty

(1) Whoever knowingly violates any provision of this chapter or, being a company, violates any regulation or order issued by the Board under this chapter, shall be **imprisoned not more than 1 year, fined not more than \$100,000 per day** for each day during which the violation continues, or both.

(2) Whoever, with the intent to deceive, defraud, or profit significantly, knowingly violates any provision of this chapter shall be **imprisoned not more than 5 years, fined not more than \$1,000,000 per day** for each day during which the violation continues, or both.

1-Please be advised that you are in error asserting that the word salad (You left "Registered Holders" and "Asset Backed Certificates" out of the word salad? How come?) fictitious plaintiff fake trustee LLC *Deutsche Bank National Trust Company "as trustee" for the long closed (since 8/30/05) and terminated at the SEC (1/6/06), fellow fictitious plaintiff empty shell of a REMIC Long Beach Mortgage Loan Trust 2005-WL2* is now "owner" of my private property.

'Tain't so. A game that pettifogger shyster's frequently employ is renting the use of a name that seems legitimate to create the illusion of validity in attempts to steal property via grand theft/racketeering camouflaged as (fake) foreclosures. **DBNTC agents actually admit this.**

That fact in itself makes this fraudclosure charade a fail. We shall not be abandoning our private property, our land. There is NO lease. We are not a tenant. There is NO capacity to "sell". [MN 513.08]

Fraudulent conveyance is NO conveyance. However, you are most welcome at any time to pay off our 11/27/19 possessory lien which happens to be solidly in first position; further, making any claim that *Deutsche Bank National Trust Company "as trustee" for the long closed (since 8/30/05) and terminated at the SEC (1/6/06), fellow fictitious plaintiff empty shell of a REMIC Long Beach Mortgage Loan Trust 2005-WL2* is now "owner" of my private property, **simply impossible until the lien has been satisfied** (even had the "sale" not been predicated on **void** judgment 62-cv-19-4041 a nullity, of no legal force or

effect, unenforceable), and we have not been paid, so it has not been satisfied. But, since we are in senior position, we could foreclose on them at anytime.

Please take notice that when the Secretary of State (Steve Simon) sends you a **certificate of not recognized** for each fictitious plaintiff, the illusion dissipates, and the jig falls on its face. When the Secretary of State for DBNTC's claimed headquarters State of California does as well, the jig is up.

Pettifogger shyster Kevin Dobie (subject of a present claim before the CSB) brought a false claim for fictitious plaintiffs, uttering forged documents and trafficking counterfeit instruments, amounting to a **RICO smorgasbord**: [MN 481.071, 609.52, 609.527, 609.625, 609.632, 609.895, 609.901-912, 12 USC 504, 1843-1847, 15 USC 1-3, 78ff, 1601, 18 USC 513, 514, 876(d), 1001, 1005, 1341-1349, 1510, 1651, 1652, 1951, 1961, 1962, & 1964 (a), 2320...]

It was the duty of the "judge" to either dismiss the frivolous false claim for **fraud and lack of standing/no jurisdiction** or to move it to trial so that the 17 material fact issues, fraud and lack of standing could be properly adjudicated; somehow Richard Kyle junior violated ethics, canons, laws and rules in granting a **void summary judgment [rule 56]**, practicing law from the bench [28 USC 454] and in violating both his oath and my rights started much confusion;

A "trustee", **even a legitimate one**, can **never** have standing to sue, and a "collector/servicer", **even a legitimate one**, can likewise **never** have standing to sue. Neither can ever claim the requisite concrete injury in fact in order to demonstrate standing to sue. A REMIC trust **closed** for many years, **terminated** at the SEC for many years, and **never funded** to establish any trust/trustee relationship, can never have standing to sue any party, ever; it's **transparently bad** attempts at illusion.

[**Redfield v. Parks 132 US (1889)**] ruled that "a "sale" which is **void** on its face is *of no legal effect, a nullity, and cannot constitute "color of title"...***No statute of limitations on title fraud.** Again, see also [MN 513.08].

A few simple irrefutable, immutable maxims: **Fraud vitiates all. Nothing** can make fraud not fraud...

A court shall not render a judgment which transcends the limits of its authority, and a judgment is **void** if it is beyond the powers granted to the court by the law... The lack of statutory authority to make a particular order or a judgment is akin to lack of subject matter ... - 46 American Jurisprudence 2d, Judgments §25, pp. 388-89. It is the action that is **void** so there never was a judgment...

"It (**void**) has **No legal or binding force or efficacy for any purpose or at any place....** It is Not entitled to enforcement ... **All proceedings founded on the void judgment are themselves regarded as invalid."** - 30A American Jurisprudence Judgments 44, 45.

A void judgment does not create any binding obligation. Federal decisions addressing **void** state court judgments include [**Kalb v. Feuerstein 308 US 433, 60 S Ct 343, 84 L ed. 370 (1940)**], and **Ex Parte Rowland 104 US 604 (1888)**].

"Fraud vitiates the most solemn Contracts, documents and even judgments"

~ [**U. S. v. Throckmorton, 98 US 61, at pg. 65**].

“The Law is well-settled that a void order or judgment is void even before reversal. “

~ [Valley v. Northern Fire & Marine Insurance Company, 254 U.S. 348, 41 S. Ct. 116 (1920)].

If a plaintiff lacks standing to sue, the plaintiff may not proceed in the action [Stark v. Goldberg 297 A.D. 2d 203], thus there can never be subject matter jurisdiction, making any ruling impossible and illegal, making the void judgment a trespass.

Void judgments generally fall into two classifications, that is, *judgments where there is want of jurisdiction of person or subject matter*, and *judgments procured through fraud...*

This one is a twofer!

Fictitious plaintiffs with no standing to sue, granting the court no jurisdiction, and facially invalid forged documents/instruments for the fraud part, (in addition to all the lies).

void judgment is one rendered in absence of jurisdiction over subject matter or parties, cf [310 N.W. 2d 502, (Minn. 1981)]. A **void** judgment is one rendered in absence of jurisdiction over subject matter or parties, cf [Lange v. Johnson, 204 N.W.2d 205 (Minn. 1973)].

void judgment is one that from its inception is a complete nullity and without legal effect, [Stidham V. Whelchel, 698 N.E.2d 1152 (Ind. 1998). Relief from **void** judgment is available when trial court lacked either personal or subject matter jurisdiction, Dusenberry v. Dusenberry, 625 N.E. 2d 458 (Ind. App. 1 Dist. 1993). **void** judgment has no effect whatsoever and is incapable of confirmation or ratification, Lucas v. Estate of Stavos, 609 N.E. 2d 1114, rehearing denied, and transfer denied (Ind. App. 1 dist. 1993). **void** judgment is one rendered by court which lacked personal or subject matter jurisdiction or acted in manner inconsistent with due process, U.S.C.A. Const. Amends. 5, 14, Matter of Marriage of Hampshire, 869 P.2d 58 (Kan. 1997). Judgment is **void** if court that rendered it lacked personal or subject matter jurisdiction; **void** judgment is nullity and may be vacated at any time, Matter of Marriage of Welliver, 869 P.2d 653 (Kan. 1994)].

A void judgment is one rendered by a court which lacked personal or subject matter jurisdiction or acted in a manner inconsistent with due process; Judgments entered where court lacked either subject matter or personal jurisdiction, or that were otherwise entered in violation of due process of law, must be set aside.

See also **void** judgment for violation of due process, cf [Johnson v. Zerbst, 304 U.S. 458, 58 US 1019 (1938)].

Fraud, deceit, deception, artifice or trickery operating prejudicially on the rights of another, and so intended, by inducing him to part with property or surrender some legal right...Anything calculated to deceive another to his prejudice and accomplishing the purpose, whether it be an act, a word, silence, the suppression of the truth, or other device is contrary to the plain rules of common honesty.

- 23 American Jurisprudence 2d Fraud ss 2

Without a true “default”, there can never be an injury in fact, which is a threshold prerequisite for standing to sue as defined by SCOTUS in [Lujan v. Defenders of Wildlife 504 US 555; Spokeo Inc. v. Robins 578 US 330; and Trans Union v. Ramirez 141 S. Ct. 2190]

Definition of void: *Of no force or effect. As if it never occurred nor existed. A nullity.*

Foreclosures are about *restitution for an unpaid debt*. The fundamental elements of a prima facie case in support of the remedy of foreclosure consist of three things:

First, is the **existence** of an unpaid loan account receivable, also booked as an asset on ledger.

Second, the **ownership** of that unpaid loan account receivable by the party who is named as the claimant or plaintiff.

And third, a **financial loss** reflected in that unpaid loan account receivable.

This third element is the key.

If there is no loss caused by the behavior of the homeowner there can be no default and there can be no cause for bringing a claim against the homeowner.

Fictitious “fraudclosures” are larceny, racketeering, felonious fraud.

Maxim: ***Deceit and fraud shall not*** defend, excuse or benefit any man.

Maxim: *All things are presumed against a wrong-doer.*

Maxim: *No one can sue in the name of another.*

Maxim: ***Crime vitiates all which springs from it.***

Maxim: *No cause of action can arise from fraud.*

Maxim: ***It is a fraud to conceal a fraud.***

Maxim: *Once a fraud, always a fraud.*

Maxim: *The Law punishes falsehood.*

Maxim: ***Law hates wrong.***

[MN 336.3-118] places a 6 year statute of limitations on even legitimate claims, this would result in an expiration no later than January 2016! Years before Kevin Dobie filed his frivolous false claim, without portfolio. Dobie has claimed to represent notorious 3rd party collector Select Portfolio Servicing, fka Fairbanks Capital (shuttered for dishonest and deceptive practices by HUD and the FTC) which allowed its Minnesota license to lapse in June, 2018!

Frivolous suit: “lawsuit having no legal basis, **often filed to harass or extort**...feigned action/feigned issue.”

Blacks law 5th, pages 555-556 definitions: **Felony**-under federal law and many state statutes, any offense punishable by death or imprisonment for a period exceeding one year...At common law, an offense occasioning total forfeiture of either land or goods to which capital or other punishment must be might be superadded according to degree of guilt...**Felonious**-done with intent to commit crime...malicious, villainous, traitorous, malignant, proceeding from an evil heart or purpose. Wickedly, and against the admonition of law, unlawfully...

Per [**Owen v. Independence**, 100 S.C.T. 1398, 445 US 622]: “*Officers of the court have NO immunity, when violating a Constitutional right, from liability. **For they are deemed to know the law.***”

Who is considered an officer of the court? Any person who has an obligation to promote justice and uphold the law, including **attorneys (who must be truthful in court and obey court rules), “judges”, clerks, bureaucrats, sheriffs, deputies, police officers ...**

False conveyance and forged documents are **void**: see [**MN 513.08**]-**VOID WHEN MADE TO DEFRAUD**...Every conveyance of any estate or interest in lands, or the rents and profits thereof, and every charge upon lands, or upon the rents and profits thereof, **made or created with the intent to defraud** prior or subsequent purchasers for a valuable consideration of the same lands, rents, or profits, as against any such purchasers, **shall be void**;

**“Officers of the court have no immunity when violating constitutional right, from liability”
- 16 American Jurisprudence 2d, Section 256.**

An officer of the court may be held liable in damages to any person injured in consequence of a breach of any of the duties connected with his office. *The liability for nonfeasance, misfeasance and for malfeasance in office is in his “individual capacity”, not his official capacity.*
- 70 American Jurisprudence, Civil Liability Sec. 50 VII.

Wilford, Again, we hold **unassailable, paramount, unalienable superior allodial title to, rights to, absolute ownership of and interest in the possession and enjoyment of, our private property**; as allodiaril and heir and assign to the land patent (highest form of deed and ownership) issued to Emanuel Rashe on November 10, 1855, signed by President Franklin Pierce, filed February 9, 1857; divided and brought forward multiple times before Amber Construction conveyed a warranty deed in 1974, brought forward to Michael and Leslie Nystrom, then to Prem and Cheryl Ahuja, finally in our name since 1998 (since satisfaction of contract).

CJS 73b sections 235-261 (191-218) “...the word “**Forever**” is contained in every patent.”

~ [**Bagnell v. Broderick 38 US 436 (1839)**] - “...All who claim under a patent are entitled to the same rights as the patentee.”

See the 1857 Minnesota Constitution Article 1, Section 15. **All lands within the state are allodial.**

We also possess several un-rebutted affidavits which stand as truth, fact evidence and judgment. A dead empty REMIC cannot rebut:) Ask Kevin why he did not rebut. Ask Ronaldo at DBNTC why he did not rebut.

62-cv-19-4041 as a **void** judgment (lack of standing and fraud), is a nullity, of no legal force and effect, unenforceable. (When Dobie uttered forged documents and trafficked counterfeit instruments to support his false claim in the name of fictitious plaintiffs, seems he was also without portfolio, he presented NO verified claim, NO authenticated evidence, and NO competent witness, making a summary judgment in the face of at least 17 material fact issues impossible, illegal, null and **void**).

The fake 10/28/21 “sale” predicated on a **void** judgment, by Officer Marshall is **void** as well, and “judge” Nelson’s invalid 12/6/21 “confirmation of a fake sale predicted on a **void** judgment is also a nullity.

Anyway, a fake sheriff’s deed conveying inferior equitable title is relatively meaningless, **even if it was legitimate**, but when it’s predicated on a **void** judgment, and it violates [MN 513.08] it’s dead in the water.

What a can of worms, eh? What a tangled web we weave...etc. etc.

3-Regarding SCOTUS’s ruling on Elliott v. Piersol 1 Pet. 328, 340, 26 U.S. 328, 340 (1828)]: Under Federal Law which is applicable to all states, the U.S. Supreme Court stated that if a court is **“without authority,** its judgments and orders are regarded as **nullities**. They are not voidable, but **simply void**; and form no bar to a recovery sought, even prior to a reversal in opposition to them.

They constitute no justification; and ALL persons concerned in executing (issuing or enforcing) Void judgments or sentences, are considered, in Law, as trespassers.”

This includes all bureaucrats who enable/refuse to investigate, sheriffs, deputies, “judges”, clerks, attorneys, criminals etc...ALL act as accessories and ALL commit trespass. ALL are engaged in racketeering.

Welcome to the party, liabilities assessment is yet tbd.

Trespass: Doing of an unlawful act or of lawful act in unlawful manner to injury of another’s person or property...in practice a form of action, at the common law **which lies for redress in the shape of money damages for any unlawful injury** done ...in respect either to (his) person, property, or rights...”

4-As mentioned, Kevin Dobie is presently the subject of BAR grievances and a claim before the Client Services Board [CSB Brochure - English.pdf \(mncourts.gov\)](#) for filing a frivolous false claim in the name of fictitious plaintiffs, uttering forged documents and trafficking counterfeit instruments for unjust enrichment, conspiring to commercial criminal activity...

Per [MN 388.051]: **The county attorney shall prosecute felonies;**

Per [MN 8.31] ADDITIONAL DUTIES OF ATTORNEY GENERAL **Subdivision 1:** Investigate offenses against provisions of certain designated sections; assist in enforcement: **The** attorney general shall investigate

violations of the law of this state **respecting unfair, discriminatory, and other unlawful practices in business, commerce, or trade, and specifically,** the Prevention of Consumer Fraud Act sections[MN [325F.68](#) to 325F.70].

Subdivision 2: Attorney general to assist in discovery and punishment of illegal practices: When the attorney general has information providing a reasonable ground to believe that any person has violated, or is about to violate, any of the laws of this state referred to in subdivision 1, **the attorney general shall have power to investigate those violations, or suspected violations, and to take such steps as are necessary to cause the arrest and prosecution** of all persons violating any of the statutes specifically mentioned in subdivision 1 or any other laws respecting unfair, discriminatory, or other unlawful practices in business, commerce, or trade

5- The first fictitious plaintiff- An LLC calling itself Deutsche Bank National Trust Company/DBNTC (Deutsche Bank, and any/all subsidiaries of this Foreign Banking Organization are highly regulated), purporting to be a “trustee” (with no contract or trust agreement they are willing to show:), which in fact **is not a bank, is not a trust company, is not a trustee, is not a beneficiary, is not recognized by the secretary of state in California, their claimed headquarters, or Delaware, their claimed state of organization, and is not registered to do business or appear in court in Minnesota (SOS Steve Simon provided me a certificate of non-recognition)...**DBNTC representatives admit they are just a holding company that merely “rents” the name out to foreclosure mills **to enable fraudulent foreclosures by pettifogger shysters like Kevin.**

We imagine they get a cut when a stolen home is liquidated. Per [15 USC 1639a], **A corporation cannot hold title.** Per [15 USC 1692 e], **A collector may not use any false, deceptive or misleading representation; Selling people’s notes without their authorization voids the note...And [MN 80, 80A, 336.9-318, 336.9-408]rescinds the contract...Stanek v. White [172 Minn 390 clearly defines discharge]**

Another well adjudicated fact is that the National Bank Act is the supreme law of the land to national banks, and any state statute which attempts to authorize the exercise of a power or impose a liability not permitted by that act is a **nullity.** Per SCOTUS in [Farmers National Bank v. Dearing 91 US 29, Connolly v. Union Sewer Pipe Co. 184 US 540, 589, Dobbins v. Los Angeles 195 US 223, 237, Peoples Bank v. National Bank 101 US 181 and Cochran v. United States 157 US 286, National Bank v. Associates of Obstretics, 425 US 460, 461, Mercantile National Bank v. Langdeau 371 US 551, 561, Radzanower v. Touche Ross & Co. 426 US 148, 152, Cope v. Anderson 331 US 461, 467].

Here’s a kicker: The Supreme Court of Indiana in [Heath v. Second National Bank of Lafayette 70 Ind. 106] ruled that “A national bank may purchase at a sheriff’s sale **only** land mortgaged to it in good faith, as security for a debt previously contracted.” This section 5187 has been litigated for well over one hundred years, and there have been scoreless appeals, all dismissed; in one the court stated “we are not at liberty to set aside an Act of Congress.”

6-The 2nd fictitious plaintiff- An empty, inactive, long closed and terminated REMIC trust: Long Beach Mortgage Loan Trust 2005-WL2-which **closed** on **8/30/05** and **terminated** at the SEC on **1/6/06**...making the facially invalid forged assignment fabricated [MN 609.625] on **10/2/12** just months after the criminals promised to cease and desist forging docs to steal property in the **4/4/12** National Mortgage Settlement and recorded on **10/11/12** [MN 609.64] by Gary Evers in the land records in violation of [MN

**609.64] FROM a party with NO interest, TO a long closed and terminated trust; 7 years too late!
Both impossible and illegal/unlawful! All blatant fraud.**

These two fictitious plaintiffs: a fake unregistered, unrecognized trustee and a closed terminated REMIC trust, have no standing...ever. Anywhere.

This is forgery, racketeering, trafficking of counterfeit instruments, conspiring to criminal commercial activity, false bank statements, false and misleading statements and a whole lot more.

7- Just some of the crimes involved: Barratry. Violations of statute of frauds [MN 513.08], racketeering [MN 609.901-912], aggravated forgery [MN 609.625], counterfeiting [MN 609.632 and [MN 609.895], attorney misconduct (MN 487.071), abuse of legal process [MN 588.01], trafficking [MN 609.527] attempted grand theft [MN 609.52], official misconduct [MN 542.03, MN 609.43]...**misprision of felony [18 USC 4], Securities of the States and private entities [18 USC 513], Fictitious obligations [18 USC 514], Mailing threatening communications [18 USC 876(d)], Statements or Entries Generally [18 USC 1001] - and mail fraud, frauds and swindles [18 USC 1341], wire fraud [18 USC 1343], bank fraud [18 USC 1344], securities fraud [18 USC 1348], attempt and conspiracy [18 USC 1349], scheme or artifice to defraud [18 USC 1346], fictitious name fraud [18 USC 1342], False entries and reports [18 USC 2073], trafficking in counterfeit [18 USC 2320], Banking Crimes [12 USC 1843- 1847], Bank Entries (false) [18 U.S.C. 1005], and [18 USC 1651-1652], False and Misleading Statements [15 U.S.C. 78FF], Conspiring to Criminal Commercial Activity [15 U.S.C 1-3], Civil money penalty [12 USC 504] and more...**

Actual Damages, Compensatory Damage, Inconvenience Damages, Suffering Damages, Exemplary Damages...

Title 18: Federal Law occurring at [18 USC 1961, 1962, & 1964(a)], (**fraud, extortion, and civil racketeering**) preempts state law calling for **treble damages for fraud**, other authorities for considered prosecution for the criminal acts of fraud and extortion avoids the conclusion that the court is willfully aiding and abetting the violation of *malum in se* offenses including but not limited to [18 USC 1341, 1510, 1951, 1961 and 1962].

Here's how the scam traditionally works: in a back room of the Chicago Board of Trade, worthless bundles of commercial paper in the form of copies of charged off debt are sold at auction - for pennies.

Mortgagees are usually not harmed, as they have hypothecated the loan and have risked nothing. Actors break up the bundles and resell them in clusters by size and geography.

The scam is complete when pettifogger shyster fraud and swindle artists like Kevin Dobie, with the cooperation of a local "judge" like Richard Kyle junior or Laura Nelson, assist in defrauding the unaware victim. This is of course, **felony fraud**. (Kyle and Nelson are the subject of claims as well).

In this case it was more streamlined: Notorious serial violator JPM Chase, number 2 on the violation tracker top 100 list at \$35 BILLION in fines and penalties, acquired all of Washington Mutual's hardware, software and files. They lied and claimed they had also acquired hundreds of billions in mortgages from the FDIC (mortgages that Long Beach and Washington Mutual did not own!), but agents of the FDIC and the Federal Reserve Board of Governors confirm this is untrue, and the FDIC and SEC's own writings prove it as well: [WaMu's securitized mortgages were "legally isolated" and out of the reach of the FDIC's](#)

[Receivership. Hence, “Nemo dat quod non habet” \(One cannot give what one does not have\). | BP Investigative Agency.](#)

Nevertheless, Chase successfully fabricated forged documents and used them to prey on millions of homeowners for years until the supreme court of Michigan in *Kim v. JPM Chase* said enough was enough, no more lies; and told Chase to prove their claims, by providing a legitimate bill of sale or receivers deed, under penalty of perjury.

Boom! Chase slinked back under their rock as courts around the country realized that a fatally broken chain of title could not be repaired by a forged assignment and a counterfeit note.

This RICO chapter over, Chase peddled their unenforceable garbage forged files for pennies to bottom feeders like Select Portfolio Servicing (SPS), fka Fairbanks Capital, which was shuttered by HUD and the FTC for dishonest and deceptive practices.

SPS sells the unenforceable copies of charged off debt to fellow bottom feeder pettifogger shysters like Dobie, who tap into the DBNTC LLC’s services-renting out the use of a name that appears legitimate to attempt to perpetrate fraud on unwitting victims.

So-if you really want to threaten to sue to evict, you need to know that the party must be prepared to show and prove:

- 1- Standing to sue in the jurisdiction and standing to sue the respondent party.
- 2- Corporations must also be prepared to show that the corporate charter authorized the activity sued over, and also authorizes suing; then minutes of the meeting authorizing the suit on the corporations letterhead signed by an officer.
- 3- The party must show that a contract actually exists, and every prevailing party must prove up a claim of damages. Even with a legitimate judgment, damages must be **PROVEN** by evidence entered on the record.
- 4- If a judgment is rendered in their favor, there must be a second in rem procedure for collection.
- 5- A bond (usually double) must be posted as well.

If Dobie seriously wants you to pursue this misadventure-tell him you need:

- 1- A copy of the original promissory note and a statement under penalty of perjury that a valid claim was brought by a legitimate holder in due course.

Interestingly, SPS sent us their file copy of a note, and **it didn’t have the forged indorsement signature of Jess Almanza** like the one Dobie presented. (“JPMorgan Chase’s compulsive use of Cynthia Riley’s endorsement stamp was beginning to affect the bank’s bottom line in 2015. So what should they do? JPM-Chase executives went into the basement storage room. They searched through old Washington Mutual boxes and randomly dusted off the endorsement stamp of another former Washington Mutual VP. This time, they picked former Vice President **Jess Almanza**.”)

Almanza had served as Washington Mutual's VP of Capital Markets/National Closing Operations until July of 2006. He soon went to work for Bank of America after leaving Washington Mutual according to his [Linkedin](#) profile. It appears **Almanza's** endorsement stamp was used without his consent"-Steve Dibert).

And, **Jess Almanza** has recently (2022) confirmed in the Erickson case that he's never indorsed a single note and that someone is using a rubberstamp of his signature without his permission, without authority. Do you think it might be Kevin? Is he that dumb? How many crimes is that?

2- The account and general ledger statement showing the FULL on ledger and off ledger accounting of the purported obligation, from purported funding forward, reflecting all conveyances, all charges, all payments (including all from 3rd parties that per the UCC serve to reduce and extinguish the purported obligations).

3-The name and address of all persons, corporations, associations or any other parties having an interest in legal proceedings regarding the purported debt.

4- Affirmation under penalty of perjury that Dobie/his shyster firm did not just purchase evidence of charged off debt, and used the rent a name service of Deutsche Bank National Trust Co. LLC to attempt to perpetrate fraud

5- Please provide verification from Dobie that he was authorized to act for Deutsche Bank National Trust Company and Long Beach Mortgage Loan Trust 2005 WL2.

6- Please provide verification that you are authorized to act for Deutsche Bank National Trust Company and Long Beach Mortgage Loan Trust 2005 WL2.

You see, Wilford- we are not in possession of any evidence that we ever had a contract with, or debt or obligation to, the fictitious plaintiffs (we did not:).

Nobody has ever proven that they were a legitimate holder, that they possessed the original note and not an autopen fabricated/forged copy, and that there was any certain balance owing and due on the "note". When one is engaged in fraud, trying to prove that one is **not** committing fraud is...pretty difficult:) engaged in

The good news is, that all should be very easy to prove, if it exists; seems that Kyle and Nelson were either bribed to look the other way, or were too incompetent to know and follow the law.

The problem is- we are entitled to a trial by jury, in a court of record moving under due process/due course of law/law of the land; See Articles 2,4 and 7 of the Minnesota Bill of Rights. Where a plaintiff has no standing to sue, the "case" is moot, where a "judge" issues a void "judgment", it does not exist.

To prove damages, **a verified claim under the penalty of perjury is required, and an authentic account and general ledger statement must be entered into the record, through a competent fact witness available for cross examination.**

We are not in possession of any evidence that verifies we owe either of them, that they exist, or that they authorized this matter, or were even aware of it.

As a result of battling against frivolous false claim harassment and assaults for years, we barely survived a **near fatal stress induced aortic dissection that required two emergency open heart surgeries and left us permanently disabled**, ending our career prematurely, and with a greatly compromised quality of life, a shortened projected lifespan, and the likelihood of dealing with C-PTSD (Complex-Post Traumatic Stress Disorder) for the rest of our likely shortened, compromised life.

We're not sure how a jury will determine exemplary damages, it will be interesting.

As a fellow trespasser, we guess you may now become part of the consideration, eh?

In sum, we will also need from you:

- 1- A copy of all pages (front and back) of your charter/org. papers.
- 2- A copy of all pages (front and back) of Dobie/Usset's charter/ org. papers.
- 3- A copy of all accounting as discussed previously, and the minute's authorizing your communication.
- 4- A copy of all pages (front and back) of the contract between Dobie/Usset and Deutsche Bank National Trust Company/DBNTC.
- 5- A copy of all pages (front and back) of the contract between Dobie/Usset and Long Beach Mortgage Loan Trust 2005-WL2.
- 6- A copy of all pages (front and back) of the contract between you and Dobie/Usset.
- 7- A copy of all pages (front and back) of the contract between you and DBNTC.
- 8- A copy of all pages (front and back) of the contract between you and Long Beach Mortgage Loan Trust 2005-WL2.
- 9- A copy of the oaths of office (certified) of all officers and directors of your firm.
- 10- A copy of all pages (front and back) of DBNTC's charter/ org. papers.
- 11- A verification of your firms D&B #, and EIN #.

Please verify that you know and fully understand that contacting us again, other than to comply in full with what is outlined above providing procedurally proper validation of the purported "debt" and your authority to threaten and extort, shall constitute use of **interstate communications in a racketeering scheme of fraud** by advancing writings which you know are false with the intention that others will rely on the falsities, to their detriment, **with intent to defraud and to infringe upon our fundamental rights.**

Wilford, the law used to be a reputable profession, sadly it's been overtaken by dishonest, scheming pettifogger shysters who use computers and scanners to do many nefarious things in the larceny category; they even corrupt clerks, judges and other public servants, and they block access to grand juries; the BAR is just not reputable, anymore, is it?

FDCPA/FCRA/MN CFA violations everywhere...

The documentary series “the con” (thecon.tv) has a taste of Minnesota flavor for season one, former Assistant AG/Law professor Prentice Cox is featured in episode 1. The con folks appear to be coming here for the new season, maybe you folks can also be on the new season. It might be lotsa fun, no?

You may wish to also watch all the episodes at whistleblowerpie.com-they've all been sent to Congress, the AG's and the Supreme Court justices.

Dobie's malicious prosecution of a false claim in pursuit of unjust enrichment we believe to be entirely fraudulent.

Therefore, as stated, you are either complicit, or deceived. If you have been deceived we wish you well and we trust we shall hear no more from you regarding this racketeering scheme.

If you are complicit, any further attempts to threaten and extort will require **a letter, signed by the man or woman, under his or her full commercial liability** in order for us to address full accountability and seek legal recourse under [MN 481.071] and associated federal codes and other statutes.

Law Professor Emeritus (Moritz School of Law, Ohio State University) Douglas Whaley says:

“If the *lawsuit* was filed by **someone who didn't have standing** and the attorney who filed it should have known that, he/she should be reported to the BAR Association, and the misfiling should also be called to the judge's attention as a **reason to dismiss**.

[We claim pettifogger shyster Kevin Dobie, “operating” without portfolio, filed a frivolous false claim, in the name of fictitious plaintiffs, uttering forged documents; there are **NO verified pleadings, NO standing to sue, NO injured party, and NO subject matter jurisdiction; racketeering for unjust enrichment**].

This is also **criminal conduct**, of course, and **should be prosecuted**, including as a defendant any attorney participating in deception of the court. Outside of the UCC, attorneys should consider filing a lawsuit charging **fraud (misrepresentation of a material fact made with knowledge of its falsity or a reckless disregard of its truth, on which there was justifiable reliance causing damages)** if it's indeed present and can be proven.

Fraud is the civil action for lying, an ugly thing to charge someone with, creating great headlines for the media. **If fraud has been at work, well, that's good news for the plaintiff in a lawsuit: The common Law maxim is that “fraud vitiates all transactions,” so that nothing can hide fraud.**

Those guilty of fraud cannot sue on the “contract”, which is now **void for "illegality"(as that word is used in the Law of contracts: void as a matter of public policy)**, and punitive damages, including attorney's fees are also a possibility. Nor is unjust enrichment in favor of the evil-doer a possibility **since guilty parties to an illegal contract lose all Rights to sue on any theory - they are truly “outlaws” in the literal meaning of that term.**

[Whistleblower Pie Episode #4 03/01/2022 \(rumble.com\)](http://rumble.com)

As a native Minnesotan, sovereign American national, it is doubtful kangaroo courts will invite us (although putting this fraud before a jury seems interesting), but we can bring our own actions. We imagine you can see by now that you, Dobie, the fake trustee, the fake REMIC etc. lack any semblance of standing anyway.

Wilford, kindly in compliance send all that we've requested within 14 days.

Stipulation: silence, or failure to comply will be accepted as tacit affirmation and agreement of accord and satisfaction in this matter.

And, should any party send further harassment and extortion correspondence that is not in compliance (mail fraud, please take notice that we shall charge \$5,000 per nuisance correspondence we must address, due in full 30 days from the date of notice; we will also charge \$10,000 per occurrence for each physical trespass on OUR private property), that will be accepted as your tacit affirmation and agreement, and that we may bring this matter and all documentation before any grand jury, judge, jury or arbitrator (at your expense) in pursuit of rightful redress pursuant to:

Minnesota Constitution Bill of Rights, text of section 8 Redress of injuries or Wrongs: *Every person is entitled to a certain remedy in the Laws for all injuries or Wrongs which he may receive to his person, property or character, and to obtain Justice freely and without purchase, completely and without denial, promptly and without delay, conformable to the Law.*

Minnesota Constitution Bill of Rights, text of section 4 Trial by jury: *The right of trial by jury shall remain inviolate;*

Redress, from Black's Law 4th edition, page 1444: "The receiving satisfaction for an injury sustained."

Proverbs 6:30, 6:31: "Men do not despise a thief, if he steals to satisfy his soul when he is hungry, but if he be found, he shall restore sevenfold; he shall give all of the substance of his house."

And treble damages for aiding and abetting racketeering, fraud/crimes... [MN 481.071].

Conversely, as we have for a decade, we shall conditionally accept your offer upon valid proof in full of claims, something that JPM Chase, Select Portfolio Servicing, Deutsche Bank National Trust company have been unable to provide.

Wilford, we thank you again for your correspondence.

If you are part of the racketeering scheme, then welcome to litigation and liability. On the other hand if you are really just being used as a dupe, here is your cue to take your exit, stage left.

Luke 11:52- Woe unto you...lawyers!

With warmest regards,

All rights reserved

By: _____

Tom Kibler, hidc, bene, responsible party

GRANDILOQUENT
WORD OF THE
DAY



TORTFEASOR:
A WRONGDOER.

ONE WHO COMMITS
A TRESPASS OR IS
GUILTY OF A TORT.

© MMXIV G.W.O.T.D

Thomas-George: Kibler

United States District Court

c/o 1694 Valerie Lane

for Minnesota

St. Paul Minnesota near 55112

651-955-8289

Tgkibler22@gmail.com

Thomas-George: Kibler, prosecutor

Case number: _____

v.

Wilford Geske and Cook etal, wrongdoers

CLAIM

I, Thomas-George of the family Kibler, **one of the people of Minnesota, in this court of record, claim harm by way of trespass:** forgery, extortion, trafficking in counterfeit goods, fraud and swindle, racketeering, threats and extortion, malicious prosecution, false and misleading statements, conspiring to criminal commercial activity...

Dated this 22nd day of June, 2022

By: _____

Thomas- George: Kibler