

1 Steven MacArthur-Brooks, *sui juris, In Propria Persona..*

2 Kevin: Walker, *sui juris, In Propria Persona.*

C/o 15822 North West 87th Court

3 Miami Lakes, Florida [33018]

4 non-domestic *without* the United States

Email: team@walkernovagroup.com

5 *Attorney(s) In Fact, Executor(s), Trustee(s), Authorized*

6 *Representative(s), and Secured Party for Plaintiff(s)*

7 TMSTEVEN MACARTHUR-BROOKS© ESTATE,

TMSTEVEN MACARTHUR-BROOKS© IRR TRUST

8 **UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF**
9 **FLORIDA MIAMI DIVISION**

10 TMSTEVEN MACARTHUR-
11 **BROOKS© ESTATE, et al.**

12 *Plaintiff(s),*

13 vs.

14 **ALEJANDRO MORENO, et al,**

15 *Defendant(s).*

Case No. 1:24-cv-24273-RKA

Judge: Roy K. Altman

**NOTICE OF FILING PROPOSED
ORDER GRANTING DEFAULT
JUDGEMENT, STRIKING ALL
DEFENDANTS' FILINGS FOR
NONCOMPLIANCE AND
SANCTIONS AGAINST ALL
DEFENDANTS.**

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20 **NOTICE OF FILING PROPOSED ORDER GRANTING DEFAULT**
21 **JUDGEMENT, STRIKING ALL DEFENDANTS' FILINGS FOR**
22 **NONCOMPLIANCE AND SANCTIONS AGAINST ALL DEFENDANTS**

23 **COMES NOW**, Plaintiffs TMSTEVEN MACARTHUR-BROOKS© ESTATE and
24 TMSTEVEN MACARTHUR-BROOKS© IRR TRUST (hereinafter "Plaintiffs"), by and
25 through their Attorney(ies) In Fact, who exercise the authority granted by an
26 executed 'Affidavit of Powers of Attorney-In-Fact,' (Exhibit D). Plaintiffs,
27 proceeding in accordance with their unalienable right to contract, as **secured** and
28 **protected** by the **Constitution** of the United States of America, and in particular

1 **Article I, Section 10** of the Constitution, which states: "**No State shall... pass any**
2 **Law impairing the Obligation of Contracts.**"

3 Plaintiffs hereby propose the **attached ORDER**, granting default judgement against
4 Defendants, in favor of Plaintiffs, striking ALL Defendants' filings for
5 noncompliance and sanctions against ALL Defendants, in accordance with the Law
6 and principles, and 'ORDER IN CASES WITH MULTIPLE DEFENDANTS.'

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8 **Legal Maxims, Standards, and Principles**

9 1. In support of the attached this proposed ORDER DEFAULT JUDGEMENT,
10 STRIKING ALL DEFENDANTS' FILINGS FOR NONCOMPLIANCE AND
11 SANCTIONS AGAINST ALL DEFENDANTS, in favor of the Plaintiffs, as **a matter**
12 **of law**, in accordance with Florida Rule of Civil Procedure 1.510(a), and Federal
13 Rule of Civil Procedure 56(a), Plaintiffs cite the following established legal
14 maxims, standards, and principles:

- 15 • **ALL ARE EQUAL UNDER THE LAW.** (God's Law - Moral and Natural
16 Law). Exodus 21:23-25; Lev. 24: 17-21; Deut. 1; 17, 19:21; Mat. 22:36-40;
17 Luke 10:17; Col. 3:25. 'No one is above the law.'
- 18 • **IN COMMERCE FOR ANY MATTER TO BE RESOLVED MUST BE**
19 **EXPRESSED.** (Heb. 4:16; Phil. 4:6; Eph. 6:19-21). -- **Legal maxim:** 'To lie is
20 to go against the mind.'
- 21 • **TRUTH IS EXPRESSED IN THE FORM OF AN AFFIDAVIT.** (Lev. 5:4-5;
22 Lev. 6:3-5; Lev. 19:11-13; Num. 30:2; Mat. 5:33; James 5: 12).
- 23 • **IN COMMERCE TRUTH IS SOVEREIGN.** (Exodus 20:16; Ps. 117:2; John
24 8:32; II Cor. 13:8) Truth is sovereign -- and the Sovereign tells only the
25 truth.
- 26 • **AN UNREBUTTED AFFIDAVIT STANDS AS TRUTH IN**
27 **COMMERCE.** (12 Pet. 1:25; Heb. 6:13-15). 'He who does not deny,
28 admits.'

- 1 • “Statements of **fact** contained in affidavits which are **not** rebutted by the
2 opposing party's **affidavit or pleadings may** be accepted as **true** by the
3 trial court.” --Winsett v. Donaldson, 244 N.W.2d 355 (Mich. 1976).
- 4 • See, *Sieb's Hatcheries, Inc. v. Lindley*, 13 F.R.D. 113 (1952)., “Defendant(s)
5 made no request for an extension of time in which to answer the request
6 for admission of facts and filed only an unsworn response within the time
7 permitted,” thus, under the specific provisions of Ark. and *Fed. R. Civ. P.*
8 36, the facts in question were **deemed admitted as true. Failure to answer**
9 **is well established in the court.** *Beasley v. U. S.*, 81 F. Supp. 518 (1948)., “I,
10 therefore, hold that the requests **will be considered as having been**
11 **admitted.**” Also as previously referenced, “Statements of **fact** contained in
12 affidavits which are **not** rebutted by the opposing party's **affidavit or**
13 **pleadings may**[must] be accepted as **true** by the trial court.” --Winsett v.
14 Donaldson, 244 N.W.2d 355 (Mich. 1976).
- 15 • “The state **cannot** diminish **Rights** of the **people.**” – Hurtado vs.
16 California, 110 US 516.
- 17 • “Public officials are not immune from suit when they transcend their
18 lawful authority by invading constitutional **rights.**” – AFLCIO v.
19 Woodward, 406 F2d 137 t.
- 20 • “Immunity **fosters neglect and breeds irresponsibility** while liability
21 promotes care and caution, which caution and care is owed by the
22 government to its people.” (Civil Rights) **Rabon vs Rowen Memorial**
23 **Hospital, Inc.** 269 N.S. 1, 13, 152 SE 1 d 485, 493.
- 24 • “When enforcing mere statutes, judges of all courts do not act
25 judicially (and thus are not protected by “qualified” or “limited
26 immunity,” - SEE: Owen v. City, 445 U.S. 662; Bothke v. Terry, 713 F2d
27 1404) - - “but merely act as an extension as an agent for the involved
28 agency -- but only in a “ministerial” and not a “discretionary

1 capacity..." Thompson v. Smith, 154 S.E. 579, 583; Keller v. P.E., 261 US
2 428; F.R.C. v. G.E., 281, U.S. 464.

- 3 • "Judges not only can be sued over their official acts, but could be held
4 **liable for injunctive and declaratory relief and attorney's fees.**" **Lezama**
5 **v. Justice Court**, A025829.
- 6 • "Ignorance of the law does **not** excuse misconduct in anyone, least of all in
7 a sworn officer of the law." In re McCowan (1917), 177 C. 93, 170 P. 1100.
- 8 • "**All are presumed to know the law.**" San Francisco Gas Co. v. Brickwedel
9 (1882), 62 C. 641; Dore v. Southern Pacific Co. (1912), 163 C. 182, 124 P. 817;
10 People v. Flanagan (1924), 65 C.A. 268, 223 P. 1014; Lincoln v. Superior
11 Court (1928), 95 C.A. 35, 271 P. 1107; San Francisco Realty Co. v. Linnard
12 (1929), 98 C.A. 33, 276 P. 368.
- 13 • "It is one of the fundamental maxims of the common law that **ignorance of**
14 **the law excuses no one.**" Daniels v. Dean (1905), 2 C.A. 421, 84 P. 332.
- 15 • "the people, not the States, are sovereign." – Chisholm v. Georgia, 2 Dall.
16 419, 2 U.S. 419, 1 L.Ed. 440 (1793).
- 17 • "Ignorance of the law does **not** excuse misconduct in anyone, least of all in
18 a sworn officer of the law." In re McCowan (1917), 177 C. 93, 170 P. 1100.
- 19 • **HE WHO LEAVES THE BATTLEFIELD FIRST LOSES BY DEFAULT.**
20 (Book of Job; Mat. 10:22) -- **Legal maxim:** 'He who does not repel a wrong
21 when he can occasions it.'
- 22 • **AN UNREBUTTED AFFIDAVIT BECOMES THE JUDGEMENT IN**
23 **COMMERCE.** (Heb. 6:16-17); **'There is nothing left to resolve.'**

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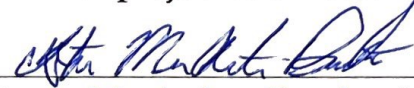
25 **WHEREFORE**, Plaintiffs respectfully request that this Honorable Court GRANT
26 this ORDER for Judgement in favor of the Plaintiffs, unless the Court intends to act
27 contrary to **contract law, legal maxims, principles**, the Uniform Commercial Code
28 (U.C.C.), and the **Constitution.?**

COMMERCIAL OATH AND VERIFICATION:

1 County of Riverside)
2) Commercial Oath and Verification
3)
4 The State of California)

5 I, STEVEN MACARTHUR-BROOKS, under my unlimited liability and Commercial
6 Oath proceeding in good faith being of sound mind states that the facts contained
7 herein are true, correct, complete and not misleading to the best of Affiant's
8 knowledge and belief under penalty of International Commercial Law and state
9 this to be HIS Affidavit of Truth regarding same signed and sealed this 20TH day of
10 NOVEMBER in the year of Our Lord two thousand and twenty four:

11 proceeding *sui juris*, **In Propria Persona**, by *Special Limited Appearance*,
12 **All rights reserved without prejudice or recourse, U.C.C. §§ 1-308, 3-402.**


13 By: 
14 **Steven MacArthur-Brooks**, Attorney In Fact, Secured Party,
15 Executor, national, private bank(er) EIN # 9x-xxxxxxx

COMMERCIAL OATH AND VERIFICATION:

16 County of Riverside)
17) Commercial Oath and Verification
18)
19 The State of California)

20 I, KEVIN WALKER, under my unlimited liability and Commercial Oath proceeding
21 in good faith being of sound mind states that the facts contained herein are true,
22 correct, complete and not misleading to the best of Affiant's knowledge and belief
23 under penalty of International Commercial Law and state this to be HIS Affidavit of
24 Truth regarding same signed and sealed this 20TH day of NOVEMBER in the year
25 of Our Lord two thousand and twenty four:

26 proceeding *sui juris*, **In Propria Persona**, by *Special Limited Appearance*,
27 **All rights reserved without prejudice or recourse, U.C.C. §§ 1-308, 3-402.**

28 By: 
Kevin Walker, Attorney In Fact, Secured Party,
Executor, national, private bank(er) EIN # 9x-xxxxxxx

1 Let this document stand as truth before the Almighty Supreme Creator and let it be
2 established before men according as the scriptures saith: "But if they will not listen,
3 take one or two others along, so that every matter may be established by the testimony of two
4 or three witnesses." Matthew 18:16. "In the mouth of two or three witnesses, shall every
5 word be established" 2 Corinthians 13:1.

6 Sui juris, By Special Limited Appearance,

7 By: Corey D. Walker
8 Corey Walker (WITNESS)

9 Sui juris, By Special Limited Appearance,

10 By: Donabelle Mortel
11 Donabelle Mortel (WITNESS)

12 **PROOF OF SERVICE**

13 STATE OF CALIFORNIA)
14) ss.
15 COUNTY OF RIVERSIDE)

16 I competent, over the age of eighteen years, and not a party to the within
17 action. My mailing address is the Koda's World, 5476 North West 77th Court, suite
18 # 613, Miami Lakes, California [33018]. On November 29, 2024, I served the within
19 documents:

- 20 1. **NOTICE OF FILING PROPOSED ORDER GRANTING DEFAULT**
21 **JUDGEMENT, STRIKING ALL DEFENDANTS' FILINGS FOR**
22 **NONCOMPLIANCE AND SANCTIONS AGAINST ALL DEFENDANTS.**

23 **By Electronic Service** on November 29, 2024. Based on a court order or an
24 **agreement of the parties** to accept service by electronic transmission, I caused the
25 documents to be sent to the persons at the electronic notification addresses listed
26 below.

27 Michael D. Starks
28 C/o ANDREW KEMP-GERSTEL and LIEBLER, GONZALEZ,
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Shannon: Peterson, Alejandro: Moreno

C/o SheppardMullin

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Teresa H. Campbell, Shirley Jackson, Sheryl Flaughter

SAN DEIGO COUNTY CREDIT UNION

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spetersen@sheppardmullin.com

Edwyn: Martinez and Blake: Partridge

C/o SOUTH FLORIDA AUTO RECOVERY CORP and SASTRE,

SAAVEDRA & EPSTEIN, PLLC

PO BOX 226185

Miami, Florida [33222]

blake@sselegal.com

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on November 29, 2024 at Riverside, California.

/s/Chris Yarbra/

Chris Yarbra