

Kevin: Realworldfare (formerly Kevin: Walker)
C/o 30650 Rancho California Road # 406-251
Temecula, California [92591]
non-domestic without the United States
Email: team@walkernovagroup.com

*Plaintiff, Real Party In Interest, Secured Party,
Injured Party*

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

**WG PRIVATE IRREVOCABLE TRUST,
et al**

Plaintiffs/Real Parties In Interest/

vs.

MARINAJ PROPERTIES LLC, et al,

Defendants,

MARINAJ PROPERTIES LLC,

[Purported] Cross-Complainant,

vs.

KEVIN LEWIS WALKER, et al.,

[Purported] Cross-Defendants.

Case No. 5:25-cv-01434-SSS-DTB

**VERIFIED NOTICE MOTION AND
VERIFIED MOTION AND DEMAND
TO DISQUALIFY JUDGE SUNSHINE
SUZANNE SYKES UNDER 28 U.S.C.
§§ 144 AND 455 FOR BIAS,
**PREJUDICE, AND FAILURE TO
PRESERVE FEDERAL REMOVAL
JURISDICTION****

**(SPECIAL LIMITED APPEARANCE — IN
EQUITY ONLY — EQUITY JURISDICTION
PRESERVED)**

TO THE COURT, ALL PARTIES, AND COUNSEL OF RECORD:

This matter is brought in **equity**, under the original and exclusive jurisdiction of
this Court as authorized by the Constitution of the United States, Article III, Section

2. All statutory jurisdiction is expressly denied and rebutted. This is a Court of
Record. All rights are reserved without prejudice pursuant to UCC 1-308.

COMES NOW Kevin: Realworldfare, in full capacity as the natural, living man and
Real PartyIn Interest, proceeding *sui juris, in propria persona*, **not pro se**, by
Special Limited Appearance only, **not** appearing as surety for any legal fiction, not
a corporation, **not a “resident”**, and **not** a U.S. citizen under the 14th Amendment,
and invokes the Court’s original jurisdiction in **equity**, demanding adjudication

1 according to the **facts, truth, and applicable law**, and and respectfully moves this
2 Court for the immediate disqualification of Judge Sunshine Suzanne Sykes
3 pursuant to 28 U.S.C. §§ 144 and 455(a), on the basis of demonstrated bias, failure to
4 enforce mandatory federal removal jurisdiction under 28 U.S.C. § 1446(d), and
5 improper judicial tolerance of procedurally void filings, simulated legal process,
6 and fraudulent party substitutions.

7 I. STATEMENT OF FACTS

8 1. This matter was lawfully removed under 28 U.S.C. §§ 1441, 1443, and 1446(d)
9 from Riverside County Superior Court, where it was proceeding under the
10 simulated caption *Marinaj Properties LLC v. Kevin Walker*, Case No.
11 UDME2500465.

12 2. Despite removal, Judge Sykes has failed to take mandatory judicial notice of
13 un rebutted affidavits and verified filings establishing:

- 14 ○ Party misidentification and absence of real party in interest.
- 15 ○ Procedural voidness of the unlawful detainer (“UD”) based on unresolved
- 16 title claims pending in related quiet title cases.
- 17 ○ Fatal jurisdictional defects, including violation of 28 U.S.C. § 1446(d) and the
- 18 supremacy of federal jurisdiction upon removal.

19 3. Judge Sykes has instead entertained repetitive and fraudulent filings – including
20 a defective and unverified Motion to Remand – submitted by Marinaj Properties
21 LLC and its counsel, despite prior notices and affidavits of fraud on the court
22 and lack of standing.

23 4. The Plaintiff and Purported Cross-Defendant have also documented judicial bias
24 in a separate matter before Judge Sykes (Case No. **5:25-cv-01357** and Case No.
25 **5:25-cv-01450**), where un rebutted verified filings and motions were ignored in
26 violation of federal mandates, further evidencing a prejudicial pattern.

27 5. Plaintiff and Purported Cross-Defendant have previously been subjected to
28 proceedings before Judge Sunshine Suzanne Sykes in unrelated litigation (Case

No. 5:25-cv-01330), during which the **Sunshine Suzanne Sykes exhibited a consistent pattern of fraud, obstruction, judicial misconduct, judicial bias, disregard for verified filings, failure to consider dispositive legal authorities, and repeated rulings that undermined Plaintiff's right to fair process and equal protection.**

II. EVIDENCE OF BIAS AND PREJUDICE

Judge Sunshine Suzanne Sykes **has demonstrated actual and apparent bias, prejudice, and a failure to uphold mandatory federal jurisdiction,** including the following:

- **Refusal to Strike a Procedurally Void Unlawful Detainer Case:** This matter is a *removed unlawful detainer* action that was never adjudicated on the merits and is facially defective under federal and state law. Despite multiple verified notices and demands to strike for lack of jurisdiction and the fatal absence of indispensable parties, Judge Sykes has taken no corrective action.
- **Willful Tolerance of Parallel Pending Quiet Title Actions:** **There are two (2) active and related quiet title actions involving the same subject matter and property,** yet Judge Sykes continues to allow this unlawful detainer to proceed – despite it being fundamentally jurisdictionally barred and inherently subordinate to superior title claims.
- **Fraudulent Party Substitution and Procedural Misconduct:** Respondent has repeatedly objected to the **unauthorized and fraudulent substitution of parties** – most egregiously the substitution of “KEVIN REALWORLDFARE” in place of the originally named party “KEVIN LEWIS WALKER”, without court order, stipulation, or lawful basis. This unilateral re-captioning and misidentification constitutes **simulated legal process** and is void ab initio. No motion to

amend, substitution order, or verified stipulation was filed – violating Fed. R. Civ. P. 17(a), Local Rule 19-1, and controlling due process authority. Simultaneously, Plaintiff Marinaj Properties LLC and its counsel – who are **not named in the underlying Note or Deed of Trust** – have engaged in repeated filings of **unverified declarations, inadmissible hearsay exhibits, and legally defective pleadings**, while **failing to demonstrate standing as real parties in interest** under Fed. R. Civ. P. 17(a)(1). These cumulative defects constitute **fraud upon the court**, violate 28 U.S.C. § 1446(d), and render the proceeding incurably void..

- **Silence and Inaction in the Face of Verified Affidavits:** Despite being served with numerous **unrebutted verified affidavits** detailing jurisdictional violations, procedural fraud, party misidentification, and fatal defects, Judge Sykes has neither acknowledged nor addressed any of these substantive filings – demonstrating clear bias and obstruction of justice.
- **Permitting Simulated Legal Process:** The ongoing docket activity reveals that Judge Sykes continues to allow filings, hearings, and rulings on matters that were already **removed to federal court under 28 U.S.C. §§ 1441, 1443, and 1446(d)**. This not only violates federal supremacy and mandatory jurisdiction but shows active participation in or allowance of a simulated legal process.
- **Pattern of Prejudice and Partiality in Related Cases:** In related matters involving the same parties and subject matter (e.g. 5:25-CV-01434 and 5:25-cv-01357), Judge Sykes has exhibited a pattern of prejudicial rulings, refusal to consider verified evidence, and failure to enforce clear federal protections. Her continued involvement raises serious questions as to impartiality and fairness under 28 U.S.C. § 455(a).

In totality, these actions represent **fraud upon fraud**, all occurring in direct contravention of controlling federal statutes, due process, and basic standards of judicial neutrality.

III. JUDGE IS MANDATED TO “PROCEED NO FURTHER” UNDER 28 U.S.C. § 144 – JURISDICTION IS DIVESTED BY OPERATION OF LAW AND VERIFIED MOTION SUFFICES

Under 28 U.S.C. § 144, when a party submits a **timely and sufficient affidavit** asserting that the presiding judge harbors personal bias or prejudice, the Court is **stripped of all authority to act**—*immediately and by operation of law*. The statutory mandate is unambiguous:

“The judge shall proceed no further.”

This is not discretionary. **It is absolute.** The moment the verified affidavit hits the docket, the judge is divested of jurisdiction and **must halt all judicial activity** until the matter is certified and reviewed by another judge.

The Ninth Circuit and multiple federal courts have reaffirmed this standard:

“A party need not submit a notarized affidavit where the motion is verified under penalty of perjury pursuant to 28 U.S.C. § 1746.”

— *Schroeder v. McDonald*, 55 F.3d 454, 460 n.10 (9th Cir. 1995)

— *Carter v. Comm’r of Internal Revenue*, 784 F.2d 1006, 1009 (9th Cir. 1986)

“Once a proper affidavit is filed under Section 144, the judge must recuse, and the matter must be referred to another judge.”

— *United States v. Sibla*, 624 F.2d 864, 867 (9th Cir. 1980)

“A judge who does not disqualify himself after a proper affidavit has been filed acts without jurisdiction.”

— *Berger v. United States*, 255 U.S. 22, 36 (1921)

— *United States v. Ritter*, 540 F.2d 459, 464 (10th Cir. 1976)

“The statute is self-enforcing and automatically divests the judge of further authority, pending review.”

— *In re Goodwin*, 194 B.R. 214, 221 (9th Cir. B.A.P. 1996)

1 **“The bias need not be proven; the affidavit must merely allege facts sufficient**
2 **to convince a reasonable person of bias, which triggers disqualification.”**

3 — *United States v. Balistrieri*, 779 F.2d 1191, 1199 (7th Cir. 1985)

4 Moreover, the procedural form of the affidavit does not require notarization:

5 Plaintiffs’ original motion was:

- 6 • Verified under penalty of perjury pursuant to § 1746;
- 7 • Based on specific, well-supported allegations of personal and procedural
- 8 bias;
- 9 • Filed timely and with specificity under governing law.

10 The Court is obligated to **halt all proceedings** and refer the matter to another judge
11 for independent evaluation.

12 **IV. LEGAL AUTHORITY AND MANDATORY RECUSAL UNDER 28**

13 **U.S.C. §§ 144 AND 455**

14 It is well-established that a **verified affidavit or motion alleging judicial bias must**
15 **be accepted as true** for purposes of disqualification, and **recusal is mandatory** if the
16 motion is legally sufficient:

- 17 • **Berger v. United States**, 255 U.S. 22, 35 (1921): A sufficient affidavit under
18 28 U.S.C. § 144 “must be accepted as true,” and the judge “cannot pass
19 upon the truth of the facts alleged nor upon the sufficiency of the
20 evidence.”
- 21 • **United States v. Sibla**, 624 F.2d 864, 867 (9th Cir. 1980): Where an affidavit is
22 legally sufficient, recusal under § 144 is not discretionary — “the judge must
23 refer the motion to another judge.”
- 24 • **United States v. Ritter**, 540 F.2d 459, 464 (10th Cir. 1976): An affidavit
25 meeting the statutory threshold “must be referred to another judge for
26 hearing and determination.”
- 27 • **In re Nettles**, 394 F.3d 1001, 1002 (7th Cir. 2005): A verified § 144 filing must
28 be accepted as true in determining whether recusal is required.

In addition to statutory grounds, due process under the Constitution mandates
recusal where judicial impartiality is in doubt:

- **Caperton v. A.T. Massey Coal Co.**, 556 U.S. 868, 881–82 (2009): Recusal is constitutionally required where “the probability of actual bias... is too high to be constitutionally tolerable.” No actual misconduct is necessary; even the appearance of partiality under extreme facts violates due process.
- **Liteky v. United States**, 510 U.S. 540, 551 (1994): Disqualification is warranted where a judge exhibits “such a high degree of favoritism or antagonism as to make fair judgment impossible,” regardless of whether the bias arises from extrajudicial sources.
- **United States v. Jordan**, 49 F.3d 152, 157 (5th Cir. 1995): Bias sufficient to mandate recusal can be inferred from “past adverse rulings where there is evidence of personal animus or a fixed predisposition,” including conduct in unrelated matters.
- **United States v. Holland**, 519 F.3d 909, 913–14 (9th Cir. 2008): Disqualification is necessary under 28 U.S.C. § 455(a) when “a reasonable person with knowledge of all the facts would conclude that the judge’s impartiality might reasonably be questioned.” The standard is objective and focused on public confidence in the judiciary.

Additionally, courts have expressly held that **a verified motion under penalty of perjury satisfies the affidavit requirement of 28 U.S.C. § 144**, and need **not** be notarized to trigger mandatory recusal:

- **Schroeder v. McDonald**, 55 F.3d 454, 460 n.10 (9th Cir. 1995): “A party need not submit a notarized affidavit where the motion is verified under penalty of perjury pursuant to 28 U.S.C. § 1746.”
- **Carter v. Comm’r of Internal Revenue**, 784 F.2d 1006, 1009 (9th Cir. 1986): The Ninth Circuit confirmed that § 1746 allows unsworn declarations under

1 penalty of perjury to function as sworn affidavits in federal proceedings,
2 including motions for disqualification.

3 **V. DEMAND FOR RELIEF**

4 WHEREFORE, based on the foregoing facts, applicable law, and binding precedent,
5 Plaintiff hereby respectfully demands the following:

- 6 **1. Immediate Disqualification of Judge Sunshine Suzanne Sykes**, pursuant to
7 28 U.S.C. §144 and §455(a), due to demonstrated appearance of impropriety,
8 historical bias, and failure to preserve impartial judicial administration;
9 **2. Mandatory Reassignment** of this matter to a constitutionally neutral, unrelated
10 Article III judge via random selection, excluding any judge who has previously
11 presided over matters involving Plaintiff, in order to ensure structural due
12 process and restore confidence in the integrity of these proceedings;
13 **3. Automatic Stay of All Proceedings**, including deadlines, filings, or further
14 judicial action, pending final adjudication and completion of reassignment, to
15 prevent further procedural prejudice and irreparable harm;
16 **4. Such Other and Further Relief** – legal, equitable, or supervisory – as this
17 Court or an appropriate reviewing tribunal may deem just, necessary, and
18 proper under the Constitution, laws of the United States, and inherent
19 powers of the federal judiciary.

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VERIFICATION:

Pursuant to 28 U.S.C. § 1746

I, Kevin: Realworldfare, over the age of 18, competent to testify, and having firsthand knowledge of the facts stated herein, do hereby **declare, certify, verify, affirm, and state** under penalty of perjury under the laws of the **United States of America and the State of California**, that the foregoing statements are **true, correct, and complete**, to the best of my **understanding, knowledge, and belief**, and made in **good faith**.

Executed, signed, and sealed this 11th day of July in the year of Our Lord two thousand and twenty five, *without* the United States, **with all rights reserved and without recourse and without prejudice**.

All rights reserved without prejudice or recourse, UCC § 1-308, 3-402.

By: Kevin: Realworldfare

Kevin: Realworldfare, *Real Party In Interest,*

Plaintiff, Secured Party, Injured Party

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LIST OF EXHIBITS / EVIDENCE:

1. **Exhibit A:** GRANT DEED recorded in Official Records County of Riverside, DOC #2024-0291980, APN: 957-570-005, File No.: 37238 KH, where the private trust property is titled to 'WG Private Irrevocable Trust, dated February 7, 2022'.
2. **Exhibit B:** UCC1 filing #2024385925-4.
3. **Exhibit C:** UCC1 filing #2024385935-1.
4. **Exhibit D:** UCC3 filing and NOTICE #2024402433-7.
5. **Exhibit E:** UCC3 filing and NOTICE #2024411182-7.
6. **Exhibit F:** GRANT DEED, DOC #2022-0490841, APN: 957-570-005, File No.: 30291 KH, recorded in Official Records County of Riverside.
7. **Exhibit G:** Affidavit and [Contract](#) and Security Agreement #EI988807156US.
8. **Exhibit H:** Affidavit and [Contract](#) and Security Agreement #RF775822865US.
9. **Exhibit I:** Affidavit and [Contract](#) and Security Agreement #RF775823755US.
10. **Exhibit J:** [Contract](#) and Security Agreement / [Affidavit Certificate](#) of Dishonor, Non-response, DEFAULT, JUDGEMENT, and LIEN AUTHORIZATION and [LIEN AUTHORIZATION](#), #RF775824288US.
11. **Exhibit K:** Form 3811 corresponding to Exhibit G.
12. **Exhibit L:** Form 3811 corresponding to Exhibit H.
13. **Exhibit M:** Form 3811 corresponding to Exhibit I.
14. **Exhibit N:** Form 3811 corresponding to Exhibit J.
15. **Exhibit O:** Trust Certificate of WG PRIVATE IRREVOCABLE TRUST.
16. **Exhibit P:** Affidavit: Power of Attorney-In-Fact
17. **Exhibit Q:** [Contract](#) and Security Agreement / [Affidavit Certificate](#) of Dishonor, Non-response, DEFAULT, JUDGEMENT, and LIEN AUTHORIZATION and [LIEN AUTHORIZATION](#), #RF661592201US.
18. **Exhibit R:** TMKEVIN WALKER© Trademark and Copyright Agreement
19. **Exhibit S:** TMDONNABELLE MORTEL© Trademark and Copyright Agreement
20. **Exhibit T:** Copy of Rule 8.4 Misconduct Approved by the Supreme Court.

21. **Exhibit U:** Copy of Defendants **defective and fraudulent** CROSS-COMPLAINT
22. **Exhibit V:** Copy of VERIFIED RESPONSE, *CONDITIONAL* ACCEPTANCE, AND
MOTION AND DEMAND TO STRIKE CROSS-COMPLAINT, SANCTION COUNSEL
FOR FRAUD, AND QUIET TITLE IN FAVOR OF PLAINTIFFS, as *a matter of law*
(Express Mail #[ER192833495US](#)).
23. **Exhibit W:** Copy of NOTICE OF RETURN of Defendants defective CROSS-
COMPLAINT.
24. **Exhibit X:** Proof of delivery of 'VERIFIED RESPONSE..' (Exhibit V) to Court.
25. **Exhibit Y:** Email correspondence from John Bailey and Barry Lee O'Connor showing
their clear **evasion, bad faith, and dishonor.**
26. **Exhibit Z:** Copy of GEORGIA'S OWN CREDIT UNION'S Request to Dismiss
27. **Exhibit AA:** [PURPORTED] 'DEFENDANTS' VERIFIED RESPONSE AND DEMAND
FOR DISMISSAL OF FRAUDULENT UNLAWFUL DETAINER AND SANCTIONS
AGAINST PLAINTIFF AND DEMAND FOR CONSIDERED AND STIPULATED
JUDGEMENT, AND DEMAND FOR QUIET TITLE AND DEMAND FOR SUMMARY
JUDGMENT IN FAVOR OF DEFENDANTS, AS A MATTER OF LAW
28. **Exhibit BB:** Final Commercial Settlement Offer and Stipulated Quiet Title Judgment
29. **Exhibit CC:** Defendants dishonorable denial of settlement Offer
30. **Exhibit DD:** Notice of Removal filed for Case No. UDME2500465 – Federal Case No.
5:25-cv-01450-SS(SPx)
31. **Exhibit EE:** Notice of Removal filed for Case No. CVME2504043 – Federal Case No.
5:25-cv-01434-SSS(DTB)
32. **Exhibit FF:** Copy of Filed VERIFIED MOTION AND DEMAND TO DISMISS
UNLAWFUL DETAINER ACTION FOR LACK OF SUBJECT MATTER
JURISDICTION, FRAUD UPON THE COURT, AND PENDING RESOLUTION OF
SUPERIOR TITLE IN CIVIL CASE NO. CVME2504043 AND MEMORANDUM OF
POINTS AND AUTHORITIES IN SUPPORT

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Date: July 11, 2025

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

I competent, over the age of eighteen years, and not a party to the within action. My mailing address is the Walkernova Group, **care of:** 30650 Rancho California Road suite #406-251, Temecula, California [92591]. On or about **July 11, 2025**, I served the within documents:

1. VERIFIED NOTICE MOTION AND VERIFIED MOTION AND DEMAND TO DISQUALIFY JUDGE SUNSHINE SUZANNE SYKES UNDER 28 U.S.C. §§ 144 AND 455 FOR BIAS, PREJUDICE, AND FAILURE TO PRESERVE FEDERAL REMOVAL JURISDICTION

By Electronic Service. Based on a court order and/or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addresses listed below.

Naji Doumit, Mary Doumit, Daniel Doumit
C/o **NAJI DOUMIT, MARINAJ PROPERTIES, FOCUS ESTATES INC**
louisatoui3@yahoo.com
najidoumit@gmail.com

John L. Bailey (#103867), Therese Bailey (#171043)
C/o **THE BAILEY LEGAL GROUP**
jbailey@tblglaw.com
tbailey@tblglaw.com

Barry-Lee: O'Connor (#134549)
C/o **BARRY LEE O'CONNOR, BARRY LEE O'CONNOR & ASSOCIATES**
udlaw2@aol.com

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **July 11, 2025** in Riverside County, California.

/s/Chris Yarbrea/
Chris Yarbrea

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Date: July 11, 2025

NOTICE:

Using a notary on this document does *not* constitute joinder adhesion, or consent to any foreign jurisdiction, *nor does it alter my status in any manner*. The purpose for notary is verification and identification only and not for entrance into any foreign jurisdiction.

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ACKNOWLEDGEMENT:

State of California)

) ss.

County of Riverside)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On this 11th day of July, 2025, before me, Joyti Patel, a Notary Public, personally appeared Kevin Realworlfare (formerly Kevin Walker), who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Joyti Patel (Seal)

