

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

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

## UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

**™KEVIN WALKER© ESTATE, et al,**  
*Appellant/Plaintiff/Injured Party,*  
*vs.*  
**Jay Promisco, et al,**  
*Defendants-Appellees.*

Case No. 25-2475

**VERIFIED CONSTITUTIONAL  
CHALLENGE AND DEMAND FOR  
RESTORATION OF ACCESS TO  
COURT UNDER ARTICLE III, RULE 17,  
FIRST AND FIFTH AMENDMENTS,  
AND 28 U.S.C. § 1654 —  
CHALLENGING  
**UNCONSTITUTIONAL POLICY**  
**BARRING *SUI JURIS* ACCESS FOR**  
**PRIVATE TRUST OR ESTATE — WITH**  
**MEMORANDUM OF POINTS AND**  
**AUTHORITIES IN SUPPORT****

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

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

**COMES NOW** Kevin: Realworldfare, a living man, the **Real Party in Interest,**  
**Secured Party, Creditor, Fiduciary, Injured Party, Appellant,** and Beneficiary,  
proceeding *sui juris* and **not pro se**, appearing **in his proper private and equitable**  
**capacity by special limited appearance only**, without submission to any foreign,  
commercial, administrative, or statutory jurisdiction. This verified filing is made for

1 the **sole and exclusive purpose** of enforcing perfected rights, exposing  
2 jurisdictional fraud, and compelling immediate and lawful equitable remedy on the  
3 un rebutted record.

4 This special appearance and verified motion are made under the **exclusive original**  
5 **jurisdiction of equity**, invoking the **inherent powers of this Court under Article**  
6 **III of the Constitution**, the **law of equity**, and **equity jurisprudence**, wherein  
7 conscience, fairness, and maximum justice govern — not procedural traps or  
8 fraudulent administrative fictions. No remedy at law is adequate. Only equity has  
9 the jurisdiction, the power, and the mandate to act.

10 Kevin: Realworldfare explicitly rejects and rebuts any presumption of status as a  
11 “U.S. citizen” under the 14th Amendment, individual, legal fiction, corporation,  
12 vessel, transmitted utility, person, or other construct created under color of law.

13 There is **no valid contract**, **no meeting of the minds**, and **no lawful jurisdiction** by  
14 which this Court, or any inferior court below, may impose adhesion, suretyship, or  
15 agency without express, knowing, and voluntary consent.

16 This appearance and demand arise under the **law merchant**, **common law**,  
17 **commercial right**, and the **maxims of equity**. It is **not** a plea for statutory remedy,  
18 nor a request for administrative permission — it is a demand, in law and in fact, for  
19 the enforcement of already perfected rights and the extinguishment of colorable  
20 and unlawful judicial acts.

21 **All immunities and rights are expressly reserved** pursuant to:

- 22 • **UCC § 1-308** – reservation of rights,
- 23 • **UCC § 3-501** – presentment and protest,
- 24 • **Article I, § 10** – no law impairing obligation of contract,
- 25 • **42 U.S.C. § 1983** – for deprivation of rights under color of law,
- 26 • and the **organic law and maxims of equity**.

27 This Court has original supervisory and equitable jurisdiction under:

- 28 • **Article III, § 2** of the Constitution,

- 28 U.S.C. § 1651 (All Writs Act),
- and **Federal Rule of Appellate Procedure 21** and **27**.

Pursuant to **Federal Rule of Appellate Procedure 27**, Kevin: Realworldfare, a living man, the **Real Party in Interest, Secured Party, Creditor, Fiduciary, Injured Party, and Beneficiary**, proceeding *sui juris* and **not pro se**, appearing in his proper private and equitable capacity by *special limited appearance only*, files this **Verified Constitutional Challenge** to the Court's administrative or judicial policy that bars access to the appellate docket unless a licensed member of the Bar appears on behalf of a private trust or estate. Said policy is unconstitutional on its face and as applied, violating the First and Fifth Amendments, Article III of the Constitution, and 28 U.S.C. § 1654, and must be voided and corrected on the record without further delay.

## **I. JURISDICTIONAL BASIS FOR MOTION UNDER RULE 27, ARTICLE III, AND FEDERAL LAW**

This Motion is properly and necessarily brought pursuant to **Federal Rule of Appellate Procedure 27, Article III, Section 2** of the United States Constitution, and **28 U.S.C. §§ 1291 and 1654**. Appellant invokes this Court's original and ongoing jurisdiction to correct a **void, ultra vires mandate** issued in the absence of lawful authority and in direct violation of binding constitutional and statutory protections.

### **A. Constitutional Jurisdiction – Article III, Section 2**

The Constitution mandates that the **judicial power of the United States shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and to controversies to which the United States shall be a party**. This case arises under multiple constitutional provisions – **Amendments I and V, Article I, Section 10, and Article VI, Clause 2** – and cannot be dismissed or bypassed by internal court policy or administrative fiat.

### **B. Statutory Jurisdiction – 28 U.S.C. §§ 1291 and 1654**

Jurisdiction over this appeal is vested under **28 U.S.C. § 1291**, as it involves a final order that unlawfully dismissed a matter involving perfected commercial claims, un rebutted affidavits, and equitable trust enforcement. Moreover, **28 U.S.C. § 1654** guarantees that “**in all courts of the United States the parties may plead and conduct their own cases personally or by counsel.**” This statutory right is absolute, self-executing, and overrides any internal rule, clerk practice, or licensing restriction imposed without express congressional authorization.

### **C. Procedural Basis – Federal Rule of Appellate Procedure 27**

Pursuant to **Rule 27**, this Motion for reinstatement, vacatur, and correction of record is timely and procedurally valid. It seeks no new appeal, but rather demands immediate correction of an unlawful act committed **without jurisdiction** – the issuance of a mandate or dismissal **based solely on a private man’s refusal to retain licensed BAR representation**, despite being the real party in interest, secured party, and fiduciary of a private trust.

### **D. Void Mandate – Denial of Constitutional Right**

The dismissal or mandate issued by this Court was not merely erroneous – it was **void ab initio**. It was entered **sua sponte**, without hearing, and **not based on any failure to prosecute, jurisdictional defect, or procedural rule**. Instead, it denied Appellant’s right to be heard based on a **policy that unlawfully demands licensed legal representation for private trust enforcement**, despite clear and binding authority to the contrary.

Such a denial violates fundamental rights secured by the Constitution and amounts to a structural jurisdictional defect. Courts cannot condition access to justice on the retention of a third-party agent or attorney where a man has standing, interest, and lawful capacity to proceed under the law.

Accordingly, this Court has **both the jurisdiction and the non-discretionary duty** to vacate the void mandate, reinstate the appeal, and allow the matter to proceed under constitutional and statutory authority, not administrative overreach.

## **II. STATEMENT OF ISSUES FOR RECONSIDERATION AND CLARIFICATION**

The following issues are not requests for review — they are constitutional thresholds this Court is obligated to address under **Article III, Amendments I and V, Federal Rule of Civil Procedure 17**, and **28 U.S.C. §§ 1291 and 1654**. Failure to resolve these issues constitutes continued fraud upon the court, procedural treason, and structural denial of due process. These are not abstract legal theories — they are direct constitutional violations impacting fundamental access to justice.

- 1. Whether a private living man, acting in his original, fiduciary, and equitable capacity as secured party and executor of a private express trust, may be lawfully barred from prosecuting or defending his own rights solely because he refuses to retain BAR-licensed counsel.**

**Implication:** Violates **28 U.S.C. § 1654, Rule 17(a)(1)(E)** (real party in interest may sue in their own name), **Article III, Section 2**, and the **First Amendment's** guarantee of access to the courts and redress without compelled association or economic coercion.

- 2. Whether this Court can lawfully issue a mandate, dismissal, or refusal to adjudicate based entirely on internal clerk policy or judicial practice that contradicts binding federal law, where no constitutional defect, no procedural waiver, and no jurisdictional deficiency exists.**

**Implication:** Such action constitutes **fraud under color of law**, violates the **Supremacy Clause (Article VI, Clause 2)**, and constitutes an **ultra vires** act outside the scope of judicial authority.

- 3. Whether the unqualified right to self-representation — upheld in *Faretta v. California*, 422 U.S. 806 (1975), *Bounds v. Smith*, 430 U.S. 817 (1977), and *Boddie v. Connecticut*, 401 U.S. 371 (1971) — may be arbitrarily denied where the party asserting that right is the real party in interest, without seeking to represent any third party or separate legal person.**

1       **Implication:** Denial constitutes a **structural due process violation** under the  
2       **Fifth Amendment**, and **discriminatory application** of procedural policy in  
3       violation of **equal protection principles** embedded in constitutional due  
4       process.

5       **4. Whether an Article III court has lawful authority to suppress filings,**  
6       **disregard un rebutted affidavits, and dismiss a matter without hearing, due**  
7       **process, or adjudication, based solely on a party's lawful refusal to**  
8       **participate in a licensed legal monopoly.**

9       **Implication:** Such conduct is a **fraud upon the court**, a **trespass upon**  
10       **constitutional jurisdiction**, and a **deprivation of rights** under 18 U.S.C. §§  
11       **241, 242, and 42 U.S.C. § 1983.**

12       **5. Whether this Court, once placed on verified notice of jurisdictional fraud,**  
13       **administrative obstruction, and unconstitutional policy enforcement, is**  
14       **under a mandatory obligation to vacate its void actions and reinstate the**  
15       **appeal as a matter of right – not discretion.**

16       **Implication:** The **Constitution** does not allow the judiciary to operate  
17       selectively. **Denial of fundamental rights after notice** constitutes willful  
18       complicity in **color-of-law violations** and destroys all presumptions of  
19       **judicial impartiality.**

20       **Rule 17**, in particular, confirms that the **real party in interest** – which  
21       includes an individual “authorized by statute or contract to sue in their own  
22       name” (Rule 17(a)(1)(E)) – **may bring suit directly** without interference or  
23       obstruction by court-created licensing mandates. When acting in a **fiduciary**  
24       **or executor capacity**, the undersigned is enforcing trust rights in law and  
25       equity, a role historically recognized at common law and explicitly preserved  
26       under federal rules and statutes. The Court has no lawful discretion to  
27       disregard or rewrite the real-party-in-interest doctrine simply to appease  
28       institutional preference or BAR exclusivity



### III. VERIFIED FACTUAL BACKGROUND

1. Appellant, **Kevin: Realworldfare**, is a living man proceeding *sui juris*, and serves as the duly appointed **fiduciary, secured party, executor, and real party in interest** for the *™Kevin Walker© Irrevocable Trust* and *™Kevin Walker© Estate*, among other private, non-statutory, non-corporate, and non-BAR-controlled conveyances. Said trust and estate are private entities governed under **common law, contract law, and commercial law**, perfected by **lawful trust indenture**, and not subject to statutory jurisdiction or incorporation.
2. Appellant lawfully initiated and prosecuted this appeal in his private capacity to vindicate **secured, equitable, and contractual interests**, enforce **private conveyances of title**, and challenge ongoing **jurisdictional trespass, constructive fraud, and civil rights violations** perpetrated under **color of law** by both private actors and government officers. These efforts were preceded by **unrebutted affidavits**, perfected **UCC-1 Financing Statements**, lawful **commercial tenders**, and valid notices served in strict compliance with federal and commercial law.
3. Despite total procedural conformity, this Court — either by **administrative policy, local rule, or sua sponte ultra vires action** — **unlawfully dismissed** the appeal and **refused to docket** Appellant's verified filings **solely** because the trust or estate was not "represented" by a **BAR-licensed attorney**. No hearing was held. No judicial review of the unrebutted affidavits or instruments occurred. The dismissal was not based on law, standing, or jurisdictional defect, but on an unconstitutional presumption that **only licensed agents of the state may access the courts**, even where **constitutional and statutory rights** expressly say otherwise.
4. Appellant was not acting as an agent or third-party on behalf of another "person." He appeared **strictly in his capacity as the real party in interest** (pursuant to **Federal Rule of Civil Procedure 17(a)(1)(E)**) to protect vested

rights under a **private trust**— not as an attorney or legal surrogate. Rule 17 explicitly authorizes fiduciaries, executors, trustees, and similar representatives to **bring and prosecute claims in their own name** on behalf of the interest they control, without the need for a licensed intermediary. His standing is **original, not derivative; secured, not speculative; and grounded in law, contract, and equity.**

5. Further, under 28 U.S.C. § 1654, "**in all courts of the United States the parties may plead and conduct their own cases personally or by counsel.**" This statute is absolute. It contains **no carve-out**, exception, or limitation for fiduciaries, executors, private trusts, or equity claimants. There is **no judicial discretion** to rewrite this Congressional mandate to suit administrative convenience or BAR cartel preferences.
6. Appellant's rights to access this Court and seek redress are protected by the **First Amendment** (right to petition), the **Fifth Amendment** (due process and equal protection), the **Ninth and Tenth Amendments** (preserved and reserved rights), and **Article III, Section 2**, which mandates that the judicial power shall extend to "**all Cases, in Law and Equity.**" Denial of these rights—based solely on policy or refusal to use BAR agents—constitutes a **structural due process violation**, an **unconstitutional prior restraint**, and a **repugnant impairment** of the obligation of contract under **Article I, Section 10**.
7. The trust and estate are **not artificial entities**, corporations, or juridical fictions, but private property conveyances controlled exclusively by the Appellant. As such, Appellant, in his capacity as **fiduciary and injured party**, possesses full authority, capacity, and standing to assert all claims directly, invoke this Court's **Article III jurisdiction**, and demand constitutional relief without forced surrender of his autonomy to a state-sanctioned intermediary. The **procedural dismissal** for "lack of representation" is therefore **unconstitutional, void ab initio**, and constitutes a **non-discretionary violation** of the Supreme Law of the Land under **Article VI, Clause 2**.



## **IV. CONSTITUTIONAL VIOLATIONS**

### **A. First Amendment – Weaponized Denial of the Right to Petition for Redress**

The First Amendment explicitly prohibits government actors—judicial or otherwise—from obstructing the right to petition for redress of grievances. Denying a living man access to a public tribunal based solely on his refusal to hire a private BAR-member mercenary is not only unconstitutional—it is a form of compelled association, economic coercion, and procedural racketeering. The judiciary cannot force the citizenry to purchase access to justice from a licensed cartel to be heard on matters of equity, injury, and fundamental rights. Such denial constitutes content-based suppression of protected expressive and petitioning activity and is presumptively unconstitutional.

### **B. Fifth Amendment – Due Process Eviscerated, Equal Protection Discarded**

The arbitrary exclusion of Appellant from judicial remedy—on the sole basis that he acts in private fiduciary capacity for a non-corporate trust—violates both **procedural** and **substantive** due process. There exists **no lawful or rational basis** to treat a trust fiduciary differently from a sole proprietor, executor, or other private party appearing to protect real and equitable interests. This distinction is a legal fiction invented by clerks, not law. The Fifth Amendment guarantees **equal protection and access**, not tiered justice based on titles, licenses, or corporate privileges. This is legal apartheid under the guise of policy.

### **C. Article III – Jurisdictional Sabotage by Judicial Officers**

**Article III of the Constitution imposes a mandatory duty upon federal courts to adjudicate all legitimate cases and controversies properly before them.** It does **not** authorize clerks or lower judges to refuse entry based on internal policies, administrative protocols, or arbitrary gatekeeping. Refusing to hear the claims of an injured party based solely on his rejection of licensed third-party representation is a clear **usurpation of jurisdiction, a violation of the case-or-controversy clause, and a dereliction of constitutional duty.** The court exists to hear the people—not to

1 protect its own gatekeepers. The moment it refuses, it ceases to function as an  
2 Article III tribunal and becomes an administrative fraud machine.

3 **D. 28 U.S.C. § 1654 – Absolute and Unqualified Right to Appear Personally**

4 Congress has codified the right of parties to conduct their own cases in **all courts of**  
5 **the United States** without interference:

6 “In all courts of the United States the parties may plead and conduct their own  
7 cases personally or by counsel...”

8 There is **no statutory exception** for fiduciaries of private trusts – nor any grant of  
9 authority allowing courts to override this right with judicial policy, clerk practices,  
10 or unratified procedural traps. Appellant is the secured party, injured party, and  
11 real party in interest. He is not a “third-party representative” of some alien entity,  
12 but the living man enforcing lawful rights under a private trust contract. The  
13 court’s refusal to recognize this is not only unlawful – it is a direct violation of  
14 federal statute and a willful obstruction of justice under color of law.

15 **V. LEGAL DISTINCTIONS AND CONSTITUTIONAL CLARIFICATIONS**

16 A **private express trust** is not a corporate entity, statutory franchise, or juridical  
17 fiction. It is a **private contract** between living men and women, lawfully established  
18 and conveyed for the management and protection of property rights. It derives its  
19 authority from the **law of contracts**, not legislative code, and is protected by the  
20 Constitution – specifically [Article I, Section 10](#), which forbids any State from  
21 impairing the obligation of contracts. No corporate law, no judicially-invented  
22 procedural barrier, and no **BAR-created monopoly** has authority over private trust  
23 conveyances or their equitable enforcement.

24 **The estate in question has no legal standing, will, or capacity** apart from the living  
25 **executor or beneficiary.** It is not a “person” – it is a **res**. The only party capable of  
26 **speaking for it is the living man lawfully holding fiduciary title.** To suggest otherwise  
27 **– that a private man must hire a licensed agent to defend his own trust property – is**  
28 **a fraudulent fabrication with no constitutional, statutory, or judicial foundation.**

1 Appellant is **not** engaged in “representation” of any separate legal person,  
2 corporate entity, or third party. He is operating in his **original, secured, equitable**  
3 **capacity** as the **fiduciary, beneficiary, and real party in interest**. He is defending  
4 **his own private rights and property**, which requires **no license, no BAR**  
5 **affiliation, and no third-party interference**. This is not legal representation — it is  
6 **sovereign execution of vested rights** under private contract and trust law.  
7 There exists **no statute, no rule, and no controlling precedent — federal or state —**  
8 **that lawfully authorizes a court to bar a man from defending his own equitable**  
9 **title or trust property**. Any such denial is not judicial — it is **administrative**  
10 **obstruction, policy masquerading as law, and fraud under color of authority**. It  
11 violates the separation of powers, the Contracts Clause of Article I, Section 10, the  
12 Due Process Clause of the Fifth Amendment, and the First Amendment right to  
13 petition for redress.  
14 The [United States Supreme Court](#) has repeatedly and unequivocally affirmed the  
15 **unqualified right to self-representation** in *Faretta v. California*, 422 U.S. 806 (1975);  
16 *Bounds v. Smith*, 430 U.S. 817 (1977); and *Boddie v. Connecticut*, 401 U.S. 371 (1971).  
17 These decisions affirm that **access to justice cannot be conditioned on the**  
18 **retention of counsel**, and that **a man has a fundamental right to be heard on his**  
19 **own behalf**, especially where property and liberty interests are at stake.  
20 **The practice of conditioning court access on BAR membership is a monopolistic**  
21 **protection racket** — a modern legal caste system that unlawfully converts the right to be  
22 heard into a purchasable privilege. It is **repugnant to the Constitution**, incompatible  
23 with the principles of equity, and wholly offensive to any tribunal claiming to operate  
24 under the laws of this Republic. It replaces **lawful remedy with administrative**  
25 **coercion**, substitutes **equity with exclusion**, and perverts **justice into procedure**.  
26 **No Article III court** operating under the Constitution has the authority to deny a  
27 man access to remedy on the basis of a **self-serving fiction that his private trust is**  
28 **a legal person requiring third-party counsel**. The law demands truth, not fiction;

equity, not fraud; and justice, not silence. The denial at issue here is not merely erroneous — it is **void ab initio**, and must be reversed with prejudice.

## **VI. CONSEQUENCES OF DENIAL, DISHONOR, OR NONCOMPLIANCE**

**Let the record reflect:** any refusal, obstruction, or failure by this Court — or any officer, agent, or administrator thereof — to honor and immediately execute the above demands shall constitute **willful dishonor, color-of-law fraud**, and **malicious deprivation of rights**, triggering both immediate and long-term consequences across constitutional, statutory, and commercial dimensions.

### **A. Constitutional Liability (Color of Law Violations)**

Denial of access to the courts, obstruction of appeal, or refusal to reinstate a rightfully filed action based solely on bar-licensing policy constitutes:

- **A direct violation of the First Amendment** (right to petition the government for redress),
- **A deprivation of due process under the Fifth Amendment**, and
- **A denial of equal protection under the Fourteenth Amendment**, if disparate treatment results from arbitrary application of procedural rules.

Such acts invoke civil and criminal liability under:

- **42 U.S.C. § 1983** – Civil liability for deprivation of rights under color of law;
- **18 U.S.C. § 242** – Criminal deprivation of rights under color of law;
- **18 U.S.C. § 241** – Conspiracy to interfere with constitutionally protected rights.

Judges, clerks, and officers do **not have immunity** when acting **outside their jurisdiction**, in **clear absence of all lawful authority**, or in **deliberate violation of well-settled constitutional rights**.

### **B. Ultra Vires Acts and Judicial Disqualification**

Any continued action taken in contradiction of the verified demands herein shall be deemed **ultra vires**, null and void from inception. The issuance of any order, mandate, or denial after proper notice and demand may constitute:

- 1 • **Judicial misconduct** under Article III,
- 2 • **Disqualification under 28 U.S.C. § 455** and § 144,
- 3 • **Structural due process violations** that void all resulting rulings (*Caperton v.*  
4 *A.T. Massey Coal Co.*, 556 U.S. 868 (2009)).

5 Such misconduct may be referred to:

- 6 • The **Judicial Council for disciplinary review**,
- 7 • The **Department of Justice for prosecution under Title 18**, and
- 8 • Public or congressional oversight bodies, depending on scope and  
9 impact.

### 10 **C. Commercial and Equitable Consequences**

11 This proceeding is founded upon perfected claims, un rebutted affidavits, and  
12 binding commercial instruments. Dishonor by silence, evasion, or procedural  
13 trickery shall constitute:

- 14 • **Commercial default and estoppel by acquiescence**,
- 15 • **Breach of fiduciary and judicial duty**, and
- 16 • **Unlawful conversion and trespass upon secured property** under the  
17 Uniform Commercial Code (see UCC §§ 1-201, 3-305, 9-609).

18 As secured party and real party in interest, Appellant reserves the right to:

- 19 • Record a **commercial lien** for damages,
- 20 • File claims against **official bonds**,
- 21 • Initiate **federal tort and constitutional damage actions**, and
- 22 • Pursue **removal or disqualification** of any officer or agent obstructing the  
23 lawful exercise of rights.

### 24 **D. Preservation of Legal and Equitable Remedies**

25 If this Court continues to operate in fraud, concealment, or willful disregard of  
26 these verified demands, all legal and equitable presumptions of judicial integrity  
27 are **rebutted**. Appellant will proceed to:

- 28 • Initiate a **Petition for Writ of Mandamus** under 28 U.S.C. § 1651,

- File for **emergency injunctive relief** in an Article III tribunal,
- Notify bonding agencies and oversight bodies of actionable misconduct,
- And take any and all lawful actions necessary to remedy the injury.

**Let this serve as your final and irrevocable notice:** continued silence or refusal is no longer benign — it is actionable, it is injurious, and it will be met with uncompromising legal and commercial remedy.

## **VII. VERIFIED NOTICE TO ALL PRINCIPALS AND AGENTS: LIABILITY NOW ATTACHES**

Let this serve as **lawful, legal, and commercial notice** to all parties, officers, agents, agencies, public officials, trustees, and third-party beneficiaries, **without exception or exclusion:**

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

This maxim of agency law is universally binding across all forums of equity, commerce, contract, fiduciary duty, and trust law. It creates **immediate and irrevocable legal consequences** across all tiers of authority, public or private, and **nullifies all claims of immunity, ignorance, or delegated insulation** arising from title, position, office, or corporate veil.

This notice is **hereby served upon and binds** — without limitation or reservation — the following parties and all successors, assigns, and beneficiaries thereof:

- **Clerks of Court** and all deputies, assistants, and staff acting under their direction;
- **Judges, Magistrates, and Judicial Officers** at all levels of state and federal jurisdiction;
- **United States Trustees, Regional Trustees, and all agents of the Executive Office for U.S. Trustees (EOUST);**
- **Attorneys of Record**, any substitute, intervenor, or successor counsel or legal personnel;



- 1 • **CRIS (Court Registry Investment System) custodians**, investment officers,  
2 and financial intermediaries;
- 3 • **Bureau of the Fiscal Service (BFS)** officers, accountants, agents, and  
4 disbursement personnel;
- 5 • **Court-Appointed Fiduciaries, Receivers, Administrators**, or other agents  
6 of judicial delegation;
- 7 • **Bonding Agents, Insurance Carriers, and Risk Management Departments**  
8 covering any public office or officer;
- 9 • **Department of the Treasury**, including **Financial Management Service,**  
10 **Legal Division**, and any enforcement arms;
- 11 • **Federal Reserve Banks**, fiscal intermediaries, securities underwriters, and  
12 custody or transfer agents;
- 13 • **All individuals or entities acting under color of law**, color of office, or  
14 administrative regulation.

15 **LIABILITY NOW ATTACHES FOR THE FOLLOWING:**

16 Any act, omission, suppression, obstruction, concealment, or failure to act in full  
17 compliance with this notice shall constitute knowing and willful dishonor, bad faith, and  
18 breach of duty, thereby triggering immediate and irrevocable liability – commercial,  
19 civil, equitable, and criminal – without limitation or need for further presentment:

- 20 • Obstruction, concealment, or tampering with filings or equitable claims;
- 21 • Impairment of contract in violation of **Article I, Section 10** of the U.S.  
22 Constitution;
- 23 • Denial of access to justice and self-representation rights under the **First and**  
24 **Fifth Amendments**;
- 25 • Attempted conversion or trespass upon **private trust res**, secured assets, or  
26 perfected commercial instruments;
- 27 • Breach of fiduciary or public trust, interference with private trust  
28 conveyances;

- Unlawful enforcement of policy in place of law, or denial of remedy under color of statute.

**THIS IS CONSTRUCTIVE AND COMMERCIAL NOTICE:**

This Verified Notice constitutes **actual, constructive, and commercial notice** to all parties named and unnamed, whether public or private, direct or indirect, acting officially or in concert. **No party may claim lack of notice, immunity, or delegated insulation.** All are now placed on notice of:

- **Equitable default**, if failure to respond with verified rebuttal;
- **Commercial dishonor**, if remedy is obstructed or delayed;
- **Prejudicial estoppel**, as no contrary facts are asserted on the record;
- **Binding liability**, for all agents and principals under **common law, equity, UCC, and trust law.**

**Silence is acquiescence. Acquiescence is agreement. Agreement under commercial law is binding.**

*Qui tacet consentire videtur ubi loqui debuit.* — He who is silent when he ought to have spoken is taken to agree.

**VIII. DEMAND FOR IMMEDIATE RELIEF**

WHEREFORE, Appellant demands — not requests — the following **immediate and non-discretionary relief** as a matter of **constitutional right, statutory entitlement, and judicial duty**:

1. **Immediate vacatur** of any mandate, dismissal, clerk order, or judicial action that was issued on the false premise that bar-licensed representation is required for a private man to defend his own equitable interest, estate, or trust. Such actions are void ab initio and constitute structural due process violations.
2. **Full and unconditional reinstatement** of the appeal, together with all associated filings, on the grounds that Appellant is the Real Party in Interest under **Article III, Section 2** of the United States Constitution and **28 U.S.C. § 1654**, which

1 explicitly grants the right to plead and conduct one's own case personally,  
2 without interference, regulation, or compelled representation.

3 3. **Formal declaratory recognition** that a living man, acting in fiduciary or  
4 equitable capacity for a private trust or estate that is **not a CORPORATE**  
5 **FICTION**, may appear *sui juris* in all United States courts, *without* interference  
6 by administrative policy, local rule, or licensing cartel. This recognition is not  
7 discretionary — it is compelled by the Constitution, by precedent, and by the  
8 fundamental laws of equity and contract.

9 4. **Restitution and restoration** of all filings, dockets, notices, orders, and judicial  
10 actions obstructed, suppressed, or disregarded under the unlawful BAR-only  
11 access policy. The record must be corrected to reflect the verified filings,  
12 un rebutted affidavits, perfected security interests, and lawful presentments  
13 previously dishonored by this Court.

14 5. **Reservation of all rights, claims, and remedies**, including but not limited to:  
15 ○ Declaratory and injunctive relief pursuant to **28 U.S.C. § 2201** and **§ 2202**,  
16 ○ Civil rights damages and equitable compensation under **42 U.S.C. § 1983**,  
17 and  
18 ○ Referral for investigation of judicial misconduct, abuse of authority, and  
19 violations of oath of office under federal criminal statutes including **18**  
20 **U.S.C. §§ 241, 242, 2071, and 1512**, if the Court or its officers continue to  
21 engage in unconstitutional obstruction under color of law.

22 This demand is made on the record, under penalty of perjury, and in full preservation of  
23 all inherent, equitable, and reserved rights under **UCC 1-308, Article I, Section 10**, and  
24 **Article VI, Clause 2** of the United States Constitution. Any further delay, denial, or  
25 concealment constitutes willful complicity in the deprivation of rights under color of law.  
26 Let the record show: the Constitution is not optional, due process is not negotiable,  
27 and equity does not answer to policy.

28 //

Pursuant to 28 U.S.C. § 1746

Executed, signed, and sealed this 28th 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: Karin: Realworld/Hare

**Kevin:** Realworldfare, *Real Party In Interest,*

Plaintiff, Secured Party, Injured Party/Appellant

//  
 //  
 //  
 //  
 //  
 //  
 //  
 //  
 //

# MEMORANDUM OF POINTS AND AUTHORITIES

IN SUPPORT OF [VERIFIED CONSTITUTIONAL CHALLENGE](#) AND DEMAND FOR  
RESTORATION OF ACCESS TO COURT UNDER [ARTICLE III, RULE 17, FIRST AND FIFTH](#)  
[AMENDMENTS](#), AND [28 U.S.C. § 1654](#) — CHALLENGING **UNCONSTITUTIONAL POLICY**  
**BARRING SUI JURIS** ACCESS FOR **PRIVATE TRUST OR ESTATE**

## I. INTRODUCTION

This Memorandum of Points and Authorities is submitted in firm support of the **Verified Constitutional Challenge** filed concurrently with this Court. The Ninth Circuit’s issuance of a **mandate dismissing Appellant’s appeal based solely on the absence of licensed BAR counsel** is not only **constitutionally impermissible**, but also **void ab initio, ultra vires**, and a **clear abuse of judicial authority**.

The ruling unlawfully elevates **internal court policy and administrative preference above controlling constitutional and statutory authority** — in direct contravention of the **Supremacy Clause (U.S. Const., Art. VI, Cl. 2)**, which establishes that the **Constitution and laws of the United States shall be the supreme Law of the Land**, binding upon all judges in every state and federal forum. No procedural rule, no internal policy, and no judicial preference can override fundamental rights guaranteed by the Constitution.

The United States Supreme Court has emphatically held that:

“The Constitution trumps court rules, policy, or deadlines. No judge has lawful discretion to violate the Constitution.”

— *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 177 (1803)

This foundational principle remains the law of the land. When a court purports to dismiss a verified appeal not for want of jurisdiction, not for procedural default, but for the Appellant’s refusal to retain a **state-sanctioned private intermediary (licensed counsel)** to access a federal Article III court, it has **forfeited lawful jurisdiction, invoked no lawful authority**, and **committed a constitutional violation**.

1 **No rule of court, local policy, or practice directive may override the express**  
2 **language of 28 U.S.C. §1654**, which mandates that “[a]ny party may conduct  
3 their own case personally or by counsel.” There is **no exception** carved out  
4 for fiduciaries of private trusts or estates that would justify such blanket  
5 denial.

6 This Memorandum proceeds to lay out the legal and constitutional violations  
7 underpinning the mandate, and demands that this Court **immediately vacate all**  
8 **orders based on that unlawful premise.**

## 9 **II. FACTUAL BACKGROUND**

- 10 1. **Appellant and Real Party In Interest** is a **private living man**, proceeding **sui**  
11 **juris**, and acting in verified capacity as **fiduciary, secured party, and sole**  
12 **beneficiary of a private express trust**—a lawful and recognized estate  
13 organization under contract, equity, and trust law. His capacity is not fictional,  
14 representative, nor statutory, and is supported by perfected instruments and  
15 un rebutted affidavits of status, interest, and authority.
- 16 2. **Appellant and Real Party In Interest** lawfully filed an appeal in this Court to  
17 challenge **fraudulent, ultra vires, and constitutionally repugnant actions**  
18 committed by officers of the State of California and Riverside County, who  
19 violated rights secured under the U.S. Constitution and federal law. These  
20 claims are not frivolous; they are supported by verified filings, perfected  
21 security interests, and un rebutted records of dishonor and deprivation of due  
22 process.
- 23 3. Rather than address any **material fact, injury, or controlling question of law**,  
24 this Court **summarily dismissed the appeal**—not on the merits, but solely due  
25 to Appellant’s **refusal to associate with or retain a licensed BAR attorney** to  
26 represent his private trust. No jurisdictional defect was found, and no factual or  
27 legal rebuttal was issued to the verified constitutional challenge or equity claims  
28 asserted.



4. This judicial policy of mandatory representation by licensed BAR members is not only unsupported by any federal statute, court rule, or binding precedent, but it directly contradicts 28 U.S.C. §1654, which guarantees that:

“In all courts of the United States the parties may plead and conduct their own cases personally or by counsel.”

5. There is **no statutory exception** for private trusts, estates, or the fiduciaries thereof. This blanket denial of access on administrative grounds **operates as an unconstitutional barrier to justice, unlawfully impairing contract, suppressing due process, and violating the right to petition the courts** under Amendments I, V, and XIV of the U.S. Constitution.

### III. LEGAL BASIS

#### **A. The Constitution Is Supreme Over “Court Policy” and “Administrative Rules”**

The **Supremacy Clause** of the United States Constitution (Article VI, Clause 2) commands that **“This Constitution... shall be the supreme Law of the Land,”** and that **“the Judges in every State shall be bound thereby.”** No judicial officer, court-created rule, or administrative preference may override, limit, or nullify constitutionally secured rights. **Judges have no lawful discretion to enforce unconstitutional policy** – their sole duty is to uphold the Constitution and apply the law as written.

In *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 177 (1803), the Supreme Court set the irrevocable precedent:

“A law repugnant to the Constitution is void.”

And further:

“It is emphatically the province and duty of the judicial department to say what the law is.”

Any rule, deadline, or mandate that infringes upon a secured right is not law at all – it is **void ab initio**.

This doctrine is universally binding and reaffirmed in *Sibbach v. Wilson & Co.*, 312 U.S. 1, 10 (1941):

“The Rules of Civil Procedure shall not abridge, enlarge or modify any substantive right.”

The Supreme Court in *Faretta v. California*, 422 U.S. 806, 821 (1975), further held:

“Court rules do not supersede constitutional protections.”

The Ninth Circuit’s dismissal, based purely on a policy demanding BAR membership, is a **constitutional nullity**. The court cannot enforce **internal rules** to obstruct the **First, Fifth, Ninth, and Tenth Amendments**, nor rewrite 28 U.S.C. § 1654.

## **B. Denying Access Based on Non-BAR Status Violates Amendments I, V, IX, and X**

- **First Amendment – Right to Petition**

The Constitution prohibits the government from obstructing “the right of the people... to petition the Government for a redress of grievances.” *Faretta*, 422 U.S. at 819, recognized this as a fundamental right, not a privilege subject to licensing. Compelling private citizens to retain corporate agents (BAR members) to access the courts is state-enforced monopoly and compelled association, in violation of **First Amendment freedoms**.

- **Fifth Amendment – Due Process and Equal Protection**

Arbitrary denial of judicial access based solely on one's refusal to retain state-approved legal actors **violates both procedural and substantive due process**. *United States v. Throckmorton*, 98 U.S. 61 (1878), confirms that **fraud and procedural obstruction void any resulting judgment**.

- **Ninth and Tenth Amendments – Reserved Rights of the People**

The Ninth Amendment affirms that “the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.” The right to **self-**

1 **representation**, to act as **trustee or beneficiary for one's own estate**,  
2 and to **conduct one's private affairs without corporate interference** are  
3 retained rights, not subject to judicial extinction by policy.

4 **C. 28 U.S.C. §1654 Protects the Right of Self-Representation**

5 "In all courts of the United States the parties may plead and conduct their own  
6 cases personally or by counsel..."

7 This statute **does not create a discretionary privilege**; it enshrines a **mandatory**  
8 **right**. The Supreme Court has consistently upheld this in *Faretta*, 422 U.S. at 832,  
9 affirming:

10 "The right of self-representation is a basic right protected by the Constitution."

11 There is **no statutory exception** for private fiduciaries, trustees, or beneficiaries  
12 asserting rights on behalf of their own trusts or estates. The Ninth Circuit's policy  
13 directly conflicts with this statute and is therefore **legally void**.

14 **D. The Mandate Is Void Ab Initio for Lack of Jurisdiction and Constitutional Defect**

15 The Supreme Court has established that **any judgment rendered without due**  
16 **process or contrary to constitutional mandate is void – not merely voidable**.

- 17 • *United Student Aid Funds, Inc. v. Espinosa*, 559 U.S. 260, 271 (2010):  
18 "A judgment is void if the court that rendered it lacked jurisdiction or acted  
19 in a manner inconsistent with due process of law."  
20 • *Ex parte Young*, 209 U.S. 123 (1908):  
21 Federal courts not only may but **must restrain unconstitutional acts by**  
22 **public officials**.

23 The Ninth Circuit did not rule on the merits of **Appellant and Real Party In**  
24 **Interest's** appeal. It rendered a **summary dismissal** that relies **solely on**  
25 **administrative policy**, contrary to Article III, Section 2 jurisdiction, **violating both**  
26 **due process and the right to be heard**. Such an act is **ultra vires and void on its**  
27 **face**.

28 **E. Courts Have a Non-Discretionary Duty to Vacate Void Orders**

A void judgment is a legal nullity and **must be vacated**. It can be attacked at any time, in any court, either **directly or collaterally**.

- *Kalb v. Feuerstein*, 308 U.S. 433, 438 (1940):

“Congress has declared that the federal courts shall have exclusive jurisdiction... and any contrary judgment is void.”

- *United States v. Throckmorton*, 98 U.S. 61 (1878):

Fraud on the court and obstruction of process render all related orders and proceedings void.

- **Rule 60(b)(4), Fed. R. Civ. P.:**

“The court must set aside a judgment that is void.”

The Ninth Circuit has no lawful discretion to enforce a void policy that nullifies statutory and constitutional rights. It has a **mandatory, non-discretionary obligation to vacate its ultra vires mandate** and reinstate Appellant’s right to due process under federal law.

### **F. Federal Rule of Civil Procedure 17 Confirms Appellant's Capacity and Standing as Fiduciary and Real Party in Interest**

Under **Rule 17(a)(1) of the Federal Rules of Civil Procedure**, the right to bring an action lies with the **real party in interest**. The rule explicitly lists as proper parties:

- “(A) an executor;
- (B) an administrator;
- (C) a guardian;
- (D) a bailee;
- (E) a trustee of an express trust...”

**Appellant and Real Party In Interest** brings this challenge not as legal counsel or third-party representative, but **as the living man, sui juris, and lawfully appointed fiduciary, trustee, and beneficiary** of a private express trust and estate. As such, Appellant is the **real party in interest** under Rule 17 and has full constitutional and statutory authority to assert claims, protect trust assets, and

1 seek relief without being compelled into BAR-association or statutory  
2 representation.

3 **Navarro Savings Ass'n v. Lee**, 446 U.S. 458, 465 (1980):

4 “Trustees are real parties in interest for litigation purposes when they possess  
5 legal title to the trust assets and manage them.”

6 **Sprint Commc'ns Co. v. APCC Servs., Inc.**, 554 U.S. 269 (2008):

7 Standing exists when a party is asserting rights assigned or conferred by  
8 legal interest or fiduciary role, even if the ultimate benefit inures to  
9 another.

10 The Ninth Circuit's enforcement of a local rule or internal policy that **disqualifies a**  
11 **private fiduciary from prosecuting claims or defending property on behalf of a**  
12 **private trust** — unless they hire a BAR-licensed third party — directly **violates**  
13 **Rule 17, Article III, and 28 U.S.C. §1654.**

14 Such a policy:

- 15 • **Rewrites federal law**, which clearly permits trustees and executors to  
16 prosecute actions;
- 17 • **Strips private estates of lawful protection** unless forced into an involuntary  
18 commercial contract with the BAR;
- 19 • **Violates the Fifth Amendment's guarantee of due process** by denying  
20 rightful access to court for failure to associate with a monopoly legal  
21 guild;
- 22 • **Interferes with the reserved rights of the People** under the **Ninth and Tenth**  
23 **Amendments**, which protect pre-constitutional rights such as private  
24 contract, self-governance, and estate control.

25 Furthermore, by ignoring the plain text of Rule 17(a)(1)(E), the Ninth Circuit is in  
26 **procedural fraud**, issuing a mandate that is **jurisdictionally void, constitutionally**  
27 **infirm, and legally indefensible.**

28 **Conclusion:**

#### IV. CONCLUSION

The Appellant is not a third party attempting unauthorized legal practice — he is the **authorized and vested fiduciary** of the private trust and **holds full legal and equitable interest** in the matters at bar. **Rule 17(a) mandates judicial recognition of that status.** Any dismissal or refusal to adjudicate the claims solely due to lack of BAR representation constitutes a **flagrant breach of constitutional duty, a denial of due process, and an act ultra vires** by this Court.

The Ninth Circuit’s dismissal, predicated on an internal policy requiring BAR-licensed representation, is **unconstitutional, ultra vires, and void ab initio.** The Constitution does not yield to court-created procedure, administrative preference, or corporate monopolies. Under **Article VI, Clause 2 (Supremacy Clause), Article III, Section 2 (Judicial Power), and the First, Fifth, Ninth, and Tenth Amendments**, the Court lacks lawful authority to override the self-executing rights of the People.

**28 U.S.C. § 1654** codifies the absolute right of all parties to personally plead and conduct their own cases. Nowhere does the statute, Constitution, or Supreme Court precedent authorize forced association with the BAR or exclusion of private men and women acting as fiduciaries for their own estates or trusts.

“A law repugnant to the Constitution is void.” — *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 177 (1803)

“The Rules of Court shall not abridge, enlarge, or modify any substantive right.” — *Sibbach v. Wilson & Co.*, 312 U.S. 1, 10 (1941)

“The right of self-representation is a basic right protected by the Constitution.” — *Faretta v. California*, 422 U.S. 806, 832 (1975)

This Court cannot lawfully enforce unconstitutional policy and simultaneously claim fidelity to the Constitution. The record is clear, and the law is settled.

Therefore, Appellant demands the following immediate and non-discretionary remedies:



- **Vacatur of the void mandate issued in derogation of constitutional and statutory rights;**
- **Full reinstatement of the appeal with all rights and claims preserved; and**
- **A declaratory ruling that private men and women, appearing sui juris and in their fiduciary capacities for private estates or trusts, may not be barred from federal courts under Article III and 28 U.S.C. § 1654.**

This Court is duty-bound to correct its constitutional violations, or stand in open defiance of its oath.

**Respectfully and lawfully submitted under full constitutional, commercial, and private liability.**

**All rights reserved nunc pro tunc and ab initio, without prejudice or recourse, UCC § 1-308, 3-402.**

By: 

**Kevin: Realworldfare**, Real Party In Interest,

*Plaintiff, Secured Party, Injured Party*

//

//

//

//

//

//

//

//

//

//

//

# 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 **August 2, 2025**, I served the within documents:

**1. [VERIFIED CONSTITUTIONAL CHALLENGE](#) AND DEMAND FOR RESTORATION OF ACCESS TO COURT UNDER [ARTICLE III, RULE 17, FIRST AND FIFTH AMENDMENTS](#), AND [28 U.S.C. § 1654](#) – CHALLENGING [UNCONSTITUTIONAL POLICY BARRING SUI JURIS](#) ACCESS FOR [PRIVATE TRUST OR ESTATE](#) – WITH MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT**

**By United States Mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed below by placing the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepared. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail in Riverside County, California, and sent via Registered Mail with a form 3811.

Jay Promisco, James E. Coffrini, Joseph Moran, Christian Gault, Amir Sabet, Amanda Coffrini, John Goulding, Brian Mcginley, Virginia Erbes, Corey Moore, Drew Fuerstenberg  
C/o SIERRA PACIFIC MORTGAGE COMPANY INC / GREENHEAD INVESTMENTS  
950 Glenn Drive, suite #150  
Folsom, California [95630]

Eric D Houser (SBN 130079), Neil J. Copper (SBN 277997)  
C/o HOUSER LLP  
9970 Research Drive

Irvine, California [92618]

Susanne M. Nicholson, Daniel J. Foster  
C/o WILKE FLEURY LLP  
621 Capital Mall, suite 900  
Sacramento, California [95814]

Paul Gustafson,  
C/o PHH MORTGAGE CORPORATION dba PHH MORTGAGE SERVICES,  
OWEN FINANCIAL CORPORATION.  
3000 Leadenhall Road  
Mount Laurel, New Jersey [08054]

Devin Ormonde,  
C/o PRIME RECON LLC  
27368 Via Industria, Suite 201  
Temecula, California [92590]

**On August 2, 2025, I served the within documents 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.

Pam Bondi, Agent(s), Fiduciary(ies)  
C/o OFFICE OF THE ATTORNEY GENERAL  
950 Pennsylvania Avenue, North West  
Washington, District of Colombia [20530-0001]  
[crm.section@usdoj.gov](mailto:crm.section@usdoj.gov)

Rob Bonta  
C/o OFFICE OF THE ATTORNEY GENERAL  
1300 "I" Street  
Sacramento, California [95814-2919]  
[Police-Practices@doj.ca.gov](mailto:Police-Practices@doj.ca.gov)  
[PIU.PIU@doj.ca.gov](mailto:PIU.PIU@doj.ca.gov)

Jay Promisco, James E. Coffrini, Joseph Moran, Christian Gault, Amir Sabet, Amanda Coffrini, John Goulding, Brian Mcginley, Virginia Erbes, Corey Moore, Drew Fuerstenberg  
C/o SIERRA PACIFIC MORTGAGE COMPANY INC / GREENHEAD INVESTMENTS  
950 Glenn Drive, suite #150  
Folsom, California [95630]  
[amir.sabet@spmc.com](mailto:amir.sabet@spmc.com)  
[joseph.moran@spmc.com](mailto:joseph.moran@spmc.com)  
[loanservicingqueue@spmc.com](mailto:loanservicingqueue@spmc.com)  
[christian.gault@spmc.com](mailto:christian.gault@spmc.com)  
[amanda.coffrini@spmc.com](mailto:amanda.coffrini@spmc.com)  
[john.goulding@spmc.com](mailto:john.goulding@spmc.com)  
[brian.mcginley@spmc.com](mailto:brian.mcginley@spmc.com)  
[virginia.erbes@spmc.com](mailto:virginia.erbes@spmc.com)

[corey.moore@spmc.com](mailto:corey.moore@spmc.com)  
[drew.fuerstenberger@spmc.com](mailto:drew.fuerstenberger@spmc.com)

Eric D Houser (SBN 130079), Neil J. Copper (SBN 277997)  
C/o HOUSER LLP  
9970 Research Drive  
Irvine, California [92618]  
[ncooper@houser-law.com](mailto:ncooper@houser-law.com)  
[dfoster@wilkefleury.com](mailto:dfoster@wilkefleury.com)  
[snicholson@wilkefleury.com](mailto:snicholson@wilkefleury.com)

Susanne M. Nicholson, Daniel J. Foster  
C/o WILKE FLEURY LLP  
621 Capital Mall, suite 900  
Sacramento, California [95814]  
[dfoster@wilkefleury.com](mailto:dfoster@wilkefleury.com)  
[snicholson@wilkefleury.com](mailto:snicholson@wilkefleury.com)

Paul Gustafson,  
C/o PHH MORTGAGE CORPORATION dba PHH MORTGAGE SERVICES,  
OWEN FINANCIAL CORPORATION.  
3000 Leadenhall Road  
Mount Laurel, New Jersey [08054]  
[relationshipmanager@mortgagefamily.com](mailto:relationshipmanager@mortgagefamily.com)

Devin Ormonde, Fiduciary(ies)  
C/o PRIME RECON LLC  
27368 Via Industria, Suite 201  
Temecula, California [92590]  
[joseph.moran@spmc.com](mailto:joseph.moran@spmc.com)

I declare under penalty of perjury under the laws of the State of California  
that the above is true and correct. Executed on **August 2, 2025** in Riverside County,  
California.

/s/Chris Yarbra/  
Chris Yarbra