

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

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

3 C/o [REDACTED]

4 [REDACTED] Florida [REDACTED]

5 non-domestic *without* the United States

6 Email: team@walkernovagroup.com

7 *Attorney In Fact, Executor, Trustee, Authorized*

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

9 TMSTEVEN MACARTHUR-BROOKS© ESTATE,

10 TMSTEVEN MACARTHUR-BROOKS© IRR TRUST

11 UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF
12 FLORIDA MIAMI DIVISION

13 TMSTEVEN MACARTHUR-BROOKS©
14 ESTATE, TMSTEVEN MACARTHUR-
15 BROOKS© IRR TRUST

16 Plaintiff(s),

17 vs.

18 ALEJANDRO MORENO, et al,

19 Defendant(s).

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

**NOTICE OF FILING PROPOSED
ORDER GRANTING SUMMARY
JUDGMENT.**

20 **Notice of Filing Proposed Order Granting Summary Judgment**

21 COMES NOW the Plaintiffs, TMSTEVEN MACARTHUR-BROOKS© ESTATE and

22 TMSTEVEN MACARTHUR-BROOKS© IRR TRUST (hereinafter "Plaintiffs"), and

23 hereby propose the **attached ORDER**, granting summary judgment **against**

24 **Defendants** in favor of the Plaintiffs, in accordance with the Law and principles.

25 **Legal Maxims, Standards, and Principles**

26 1. In support of the attached this proposed ORDER GRANTING summary

27 judgement in favor of the Plaintiffs, as **a matter of law**, in accordance with

28 Florida Rule of Civil Procedure 1.510(a), California Code of Civil Procedure §

437c(c), and Federal Rule of Civil Procedure 56(a), Plaintiffs cite the following

established legal maxims, standards, and principles:

- 1 • **ALL ARE EQUAL UNDER THE LAW.** (God's Law - Moral and Natural
2 Law). Exodus 21:23-25; Lev. 24: 17-21; Deut. 1; 17, 19:21; Mat. 22:36-40;
3 Luke 10:17; Col. 3:25. 'No one is above the law.'
- 4 • **IN COMMERCE FOR ANY MATTER TO BE RESOLVED MUST BE**
5 **EXPRESSED.** (Heb. 4:16; Phil. 4:6; Eph. 6:19-21). -- **Legal maxim:** 'To lie is
6 to go against the mind.'
- 7 • **TRUTH IS EXPRESSED IN THE FORM OF AN AFFIDAVIT.** (Lev. 5:4-5;
8 Lev. 6:3-5; Lev. 19:11-13; Num. 30:2; Mat. 5:33; James 5: 12).
- 9 • **IN COMMERCE TRUTH IS SOVEREIGN.** (Exodus 20:16; Ps. 117:2; John
10 8:32; II Cor. 13:8) Truth is sovereign -- and the Sovereign tells only the
11 truth.
- 12 • **AN UNREBUTTED AFFIDAVIT STANDS AS TRUTH IN**
13 **COMMERCE.** (12 Pet. 1:25; Heb. 6:13-15); 'He who does not deny,
14 admits.'
- 15 • "Statements of **fact** contained in affidavits which are **not** rebutted by the
16 opposing party's **affidavit or pleadings** may be accepted as **true** by the
17 trial court." --Winsett v. Donaldson, 244 N.W.2d 355 (Mich. 1976).
- 18 • See, *Sieb's Hatcheries, Inc. v. Lindley*, 13 F.R.D. 113 (1952)., "Defendant(s)
19 made no request for an extension of time in which to answer the request
20 for admission of facts and filed only an unsworn response within the time
21 permitted," thus, under the specific provisions of Ark. and *Fed. R. Civ. P.*
22 36, the facts in question were **deemed admitted as true. Failure to answer**
23 **is well established in the court.** *Beasley v. U. S.*, 81 F. Supp. 518 (1948)., "I,
24 therefore, hold that the requests **will be considered as having been**
25 **admitted.**" Also as previously referenced, "Statements of **fact** contained in
26 affidavits which are **not** rebutted by the opposing party's **affidavit or**
27 **pleadings** may[must] be accepted as **true** by the trial court." --Winsett v.
28 Donaldson, 244 N.W.2d 355 (Mich. 1976).



- 1 • "The state **cannot** diminish **Rights** of the **people**." – Hurtado vs.
2 California, 110 US 516.
- 3 • "Public officials are not immune from suit when they transcend their
4 lawful authority by invading constitutional **rights**." – AFLCIO v.
5 Woodward, 406 F2d 137 t.
- 6 • "Immunity **fosters neglect and breeds irresponsibility** while liability
7 promotes care and caution, which caution and care is owed by the
8 government to its people." (Civil Rights) **Rabon vs Rowen Memorial**
9 **Hospital, Inc.** 269 N.S. 1, 13, 152 SE 1 d 485, 493.
- 10 • "When enforcing mere statutes, judges of all courts do not act
11 judicially (and thus are not protected by "qualified" or "limited
12 immunity," - SEE: Owen v. City, 445 U.S. 662; Bothke v. Terry, 713 F2d
13 1404) - - "but merely act as an extension as an agent for the involved
14 agency -- but only in a "ministerial" and not a "discretionary
15 capacity..." Thompson v. Smith, 154 S.E. 579, 583; Keller v. P.E., 261 US
16 428; F.R.C. v. G.E., 281, U.S. 464.
- 17 • "Judges not only can be sued over their official acts, but could be held
18 **liable for injunctive and declaratory relief and attorney's fees.**" **Lezama**
19 **v. Justice Court**, A025829.
- 20 • "Ignorance of the law does **not** excuse misconduct in anyone, least of all in
21 a sworn officer of the law." In re McCowan (1917), 177 C. 93, 170 P. 1100.
- 22 • "**All are presumed to know the law.**" San Francisco Gas Co. v. Brickwedel
23 (1882), 62 C. 641; Dore v. Southern Pacific Co. (1912), 163 C. 182, 124 P. 817;
24 People v. Flanagan (1924), 65 C.A. 268, 223 P. 1014; Lincoln v. Superior
25 Court (1928), 95 C.A. 35, 271 P. 1107; San Francisco Realty Co. v. Linnard
26 (1929), 98 C.A. 33, 276 P. 368.
- 27 • "It is one of the fundamental maxims of the common law that **ignorance of**
28 **the law excuses no one.**" Daniels v. Dean (1905), 2 C.A. 421, 84 P. 332.

COMMERCIAL OATH AND VERIFICATION:

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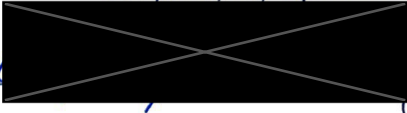
County of Riverside)
) Commercial Oath and Verification
The State of California)

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

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

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

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

Sui juris, By Special Limited Appearance,
By:  (WITNESS)

Sui juris, By Special Limited Appearance,
By:  **Donnabelle Mortel** (WITNESS)

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PROOF OF SERVICE

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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 Koda’s World, 5476 North West 77th Court, suite # 613, Miami Lakes, California [33018]. On November 20, 2024, I served the within documents:

- 1. NOTICE OF FILING PROPOSED ORDER GRANTING SUMMARY JUDGMENT
- 2. [PROPOSED] ORDER.

By Electronic Service on November 20, 2024. Based on a court order 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.

Michael D. Starks
C/o ANDREW KEMP-GERSTEL and LIEBLER, GONZALEZ, PORTUONDO.
44 West Flagler Street
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Shannon: Peterson, Alejandro: Moreno
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Teresa H. Campbell, Shirley Jackson, Sheryl Flaughner
SAN DEIGO COUNTY CREDIT UNION
6545 Sequence Drive
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Edwyn: Martinez and Blake: Partridge
C/o SOUTH FLORIDA AUTO RECOVERY CORP and SASTRE,
SAAVEDRA & EPSTEIN, PLLC

Express Mail # [REDACTED]

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 20, 2024 at Riverside, California.

/s/Donnabell E. Mortel/
Donnabelle E. Mortel

NOTICE:

Using a notary on this document does *not* constitute any adhesion, *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.

ACKNOWLEDGEMENT:

State of California)

) SS.

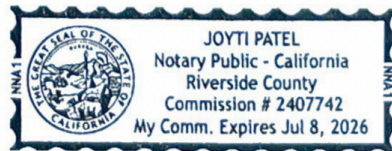
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

County of Riverside)

On this 20th day of November, 2024, before me, Joyti Patel, a Notary Public, personally appeared 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)