

IN THE SUPREME COURT OF OHIO

The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Bear Stearns Asset- Backed Securities Trust 2005-SD1, Asset-Backed Certificates Series 2005-SD1 c/o Wells Fargo Bank, N.A. (SC) **3476 Stateview Boulevard, Fort Mill, SC 29715 MAC # 7801-013**

Respondent / Plaintiff,

-vs-

Gregory T. Ackerman, et al.
556 Shadowlawn Ave
Dayton Ohio 45419

Relator / Defendant,

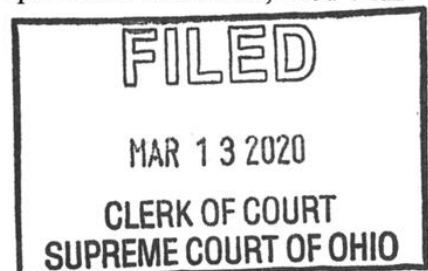
CASE NO. 20-0366

DECLARATION OF JUDICIAL EMERGENCY

RELATOR'S S EMERGENCY MOTION FOR IMMEDIATE STAY OF SHERIFF SALE, CONFIRMANTION OF SALE, AND WRIT OF RESTITUTION / POSSESSION

ISSUANCE OF ORDER

Respectfully to this Honorable Supreme Court of Ohio, comes now the indigent Relator / Defendant, Greg T. Ackerman and Joyce L. Ackerman (^{Disabled} spouse), Pro Se, with emergency motion for immediate stay of foreclosure Sheriff Sale of their property, stay of confirmation of sale, and stay of writ of restitution/ possession with "Notice to Vacate" on March 17, 2020, upon their alarming judicial notice to a "Declaration of Judicial Emergency"; Relator's verification affidavit to give judicial notice herein to a man-made foreclosure legal disaster of Respondent / Plaintiff, The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Bear Stearns Asset- Backed Securities Trust 2005-SD1, Asset-Backed Certificates Series 2005-SD1 c/o Wells Fargo Bank, N.A. (SC) **3476 Stateview Boulevard, Fort Mill, SC 29715 MAC # 7801-013**, triggering civil disorder to extraordinary circumstance that interrupts and threatens to interrupt the orderly operations of a court, filed with this honorable court on March 12, 2020.



JURISDICTION

Pursuant to The Ohio Constitution Bill of Rights I.16 Redress in courts,
“All courts shall be open, and every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law, and shall have justice administered without denial or delay. Suits may be brought against the state, in such courts and in such manner, as may be provided by law.”

RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

Pursuant to Rules of Superintendence for the Courts of Ohio; Sup. R. Rule 1. Applicability; Authority; Citation. **(A)** Applicability. “Except where otherwise provided, these Rules of Superintendence for the Courts of Ohio are applicable to all courts of appeal, courts of common pleas, municipal courts, and county courts in this state.”
(B) Authority. “These rules are promulgated pursuant to Article IV, Section 5(A)(1) of the Ohio Constitution”

MOTION FOR STAY

Pursuant to Rules of Superintendence for the Courts of Ohio, Sup.R. 14 (B), Relator respectfully moves this honorable Supreme Court and the Chief Justice to file an order declaring and extending this critical judicial emergency with the clerk of the Supreme Court. App. R. 7(A)

Relator respectfully moves this honorable Court to immediately (to save irreparable harms against Relator and property rights by March 17, 2020, file Orders to stay foreclosure Sheriff Sale of their property, stay the confirmation of sale, and stay the writ of restitution/ possession with “Notice to Vacate” on March 17, 2020, pending the necessary judicial remedies of relief to the “Declaration of the Judicial Emergency”.

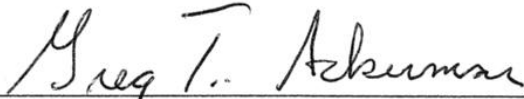
Moreover, given the circumstances of the judicial emergency, the Relator respectfully moves the Chief Justice to immediately file a copy of the “Order for Stay” with the clerk of the affected court or division at the Common Pleas Court of Montgomery County, Ohio.

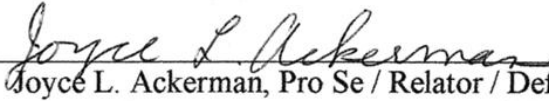
See citation Sup.R. 14 (B) “The Chief Justice shall file an order declaring or extending a judicial emergency with the clerk of the Supreme Court. If possible given the circumstances of the judicial emergency, the Chief Justice shall file a copy of the order with the clerk of the affected court or division.”

CONCLUSION

Relator respectfully moves this Honorable Supreme Court of Ohio and Honorable Chief Justice, for good cause, and without delay, to affirm their "Declaration of the Judicial Emergency", and immediately (to save irreparable harms against Relator and property rights), file Orders to stay foreclosure Sheriff Sale of their property, stay the confirmation of sale, and stay the writ of restitution/ possession with "Notice to Vacate" on March 17, 2020, as are meaningful and just to these proceedings.

Respectfully submitted,


Gregory T. Ackerman, Pro Se / Relator / Defendant
Appearance pursuant to 28 U.S.C § 1654
556 Shadowlawn Avenue
Dayton, OH 45419
Phone: (937) 293-4267


Joyce L. Ackerman, Pro Se / Relator / Defendant
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556 Shadowlawn Avenue
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937-293-4267

IN THE SUPREME COURT OF OHIO

The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Bear Stearns Asset- Backed Securities Trust 2005-SD1, Asset-Backed Certificates Series 2005-SD1 c/o Wells Fargo Bank, N.A. (SC) **3476 Stateview Boulevard, Fort Mill, SC 29715 MAC # 7801-013**

Respondent / Plaintiff,

-vs-

Gregory T. Ackerman, et al.
556 Shadowlawn Ave
Dayton Ohio 45419

Relator / Defendant,

CASE NO. 20-0366

ORDER DECLARING A JUDICIAL EMERGENCY WITH STAY OF SHERIFF SALE, CONFIRMATION OF SALE, AND WRIT OF RESTITUTION / POSSESSION

This “Declaration of Judicial Emergency” cause came to be heard on Relator / Defendant, Greg T. Ackerman and Joyce L. Ackerman, emergency judicial notice of a man-made foreclosure legal disaster of Respondent / Plaintiff, The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Bear Stearns Asset- Backed Securities Trust 2005-SD1, Asset-Backed Certificates Series 2005-SD1 c/o Wells Fargo Bank, N.A. (SC)**3476 Stateview Boulevard, Fort Mill, SC 29715 MAC # 7801-013**, triggering civil disorder to extraordinary circumstance that interrupts and threatens to interrupt the orderly operations of a division of a court, and demonstrates an enormous hardship on the parties, and taxpayers of the court involved in this instant action.

Relator’s “Declaration of Judicial Emergency”, is for good cause, and is well taken.

For the foregoing reason, for good cause, this Supreme Court **AFFIRMS** Relator’s motion for stay upon this “Declaration of Judicial Emergency”.

Therefore, this Honorable Supreme Court **ORDERS** the Common Pleas Court of Montgomery County, Ohio; appellate Court and trial Court, to immediate stay Sheriff Sale, stay Confirmation of Sale, and stay Writ of Restitution/Possession for March 17, 2020, pending the resolution to their judicial notice to a “Declaration of Judicial Emergency”; with vacating Orders for good cause, and necessary continuance of proceedings for reasonable adjudication of the genuine issues and material facts upon the trial court.

Maureen O'Connor
Chief Justice of the Supreme Court

Prepared By Greg T. Ackerman and Joyce L. Ackerman, Pro Se, 556 Shadowlawn Ave. Dayton, Ohio, 45419.

CERTIFICATE OF SERVICE

I/We, Greg T. Ackerman / Joyce L. Ackerman, do swear or declare that on this date, 3/13/2020 I/We will serve the enclosed Defendant's "ORDER DECLARING A JUDICIAL EMERGENCY WITH STAY OF RESTITUTION / POSSESSION", to each party to the above proceeding or that party's counsel, and on every other person required to be served, by hand delivery, or depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid or other, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

Ashley Rothfuss
William P. Leaman,
Lerner, Sampson & Rothfuss
120 East Fourth St.
Cincinnati, Ohio 45202

Scott King and Terry Posey Jr.,
Thompson Hine
Austin Landing I
10050 Innovation Drive, Suite 400.
Dayton, Ohio 45342

Legal Department
Wells Fargo Bank, N.A. (SC)
3476 Stateview Boulevard
Fort Mill, SC 29715 MAC # 7801-013

Michele Phipps
301 W. Third Street
5th Floor
Dayton, Ohio 45402

Tom Lehman Concepts Inc.
Tom Lehman
1926 East Third Street
Dayton, Ohio 45403

National City Bank
Loc # 01-12174
1900 East Ninth Street, 17th Floor
Cleveland, Ohio 44114

Inovision
1804 Washington Boulevard , #500
Baltimore, MD 21230 (Returned to sender in past)

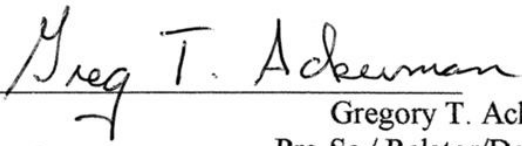
Fresh Zone Products Inc.
556 Shadowlawn Ave.
Dayton, Ohio 45419

Ms. Robbin Roseberry
2882 Fuls Rd.
Farmersville, Ohio 45325
(As required by law)

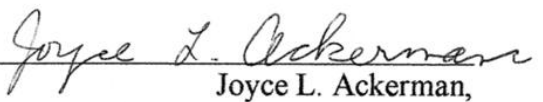
I declare under penalty of perjury that the forgoing is true and correct.

Executed on March 13th, 2020

Respectfully submitted,



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