

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MICHIGAN**

JEFFREY RYAN FENTON,
Plaintiff

v.

VIRGINIA LEE STORY,
MICHAEL WEIMAR BINKLEY,
KATHRYN LYNN YARBROUGH,
ELAINE BEATY BEELER,
SARA REBECCA BAXTER,
MARY ELIZABETH MANEY AUSBROOKS,
ALEXANDER SERGEY KOVAL,
HENRY EDWARD HILDEBRAND III,
CHARLES M. WALKER,
ROY PATRICK MARLIN,
THOMAS EARL EUGENE ANDERSON,
SAMUEL FORREST ANDERSON,
FRANK GOAD CLEMENT JR.,
ANDY DWANE BENNETT,
WILLIAM NEAL MCBRAYER,
JAMES MICHAEL HIVNER,
JOHN BRANDON COKE,
SANDRA JANE LEACH GARRETT,
Individually and in their official capacities,

STORY, ABERNATHY AND CAMPBELL, PLLP,
ROTHSCHILD & AUSBROOKS, PLLC,
SPRAGINS, BARNETT, & COBB PLC,
RUBIN LUBLIN TN, PLLC,

BANK OF AMERICA CORPORATION,
BANCORPSOUTH, INC.,

STATE OF TENNESSEE,
COUNTY OF WILLIAMSON TENNESSEE,

CHANCERY COURT FOR
WILLIAMSON COUNTY TENNESSEE,
TENNESSEE COURT OF APPEALS
MIDDLE DIVISION,
SUPREME COURT OF THE STATE OF TENNESSEE,
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE SUPREME COURT OF TN,
TENNESSEE ADMINISTRATIVE OFFICE
OF THE COURTS,
Defendants

Case No. 1:23-cv-1097

JURY TRIAL DEMANDED

AMENDED COMPLAINT FOR TORTIOUS CONDUCT AND INJUNCTIVE RELIEF

Pursuant to F.R.B.P. Rule 7001 and Rule 9011; T.C.A. § 36-3-605, § 36-3-608, § 36-4-101, § 39-14-112, § 39-14-114, § 39-15-510, § 39-16-403, § 39-16-503, § 39-16-504, § 39-16-702, § 39-17-309, and § 66-27-123; 11 U.S. Code § 341, § 362, § 363, § 541, § 542, § 543, § 707, § 725, § 1204, § 1205, § 1206, § 1207, and § 1208; 18 U.S. Code § 4, § 152, § 157, § 241, § 242, § 402, § 1341, § 1503, § 1519, § 1951, § 1957, § 1961, § 1962, and § 1964; 28 U.S. Code § 1331, § 1332, § 1334, § 1335, and § 1927; 42 U.S. Code § 1983, § 1985, and § 12101 *et seq*; the Constitution of Tennessee; and the U.S. Constitution, Plaintiff brings this complaint as a result of the defendants' tortious and criminal acts committed on many dates, the first of which began after April 25, 2019. "Defendant" will mean both the singular and the plural herein, but the term will be clarified with an associated name whenever necessary. Amended per F.R.Civ.P. 15(a)(1)(A).

I. JURISDICTION AND VENUE

"[T]he traditional justification for diversity jurisdiction is to minimize potential bias against out-of-state parties." *Firststar Bank, N.A. v. Faul*, 253 F.3d 982, 991 (7th Cir. 2001) (citing *Guar. Trust Co. of N.Y. v. York*, 326 U.S. 99, 111 (1945); *Bagdon v. Bridgestone/Firestone, Inc.*, 916 F.2d 379, 382 (7th Cir.1990)). Diversity jurisdiction is meant to "open[] the federal courts' doors to those who might otherwise suffer from local prejudice against out-of-state parties." *Hertz Corp. v. Friend*, 130 S. Ct. 1181 (2010) (citations omitted) (reversing district court's finding that jurisdiction was lacking). The facts and evidence clearly show that Plaintiff has suffered prejudice on many occasions in the Chancery Court for Williamson County Tennessee—and in the United States Bankruptcy Court Middle District of Tennessee (hereinafter "bankruptcy court").

The district court has subject matter jurisdiction pursuant to 28 U.S. Code § 1332 since litigants are citizens of different states and the matter in controversy exceeds the sum or value of \$75,000, and pursuant to 18 U.S. Code § 1964 because counts 9 and 10 involve RICO, and pursuant to 28 U.S. Code § 1331 because counts 11 through 14 involve other federal laws/constitutional issues. Litigants in this matter are residents of at least two different states.

II. PARTIES

Plaintiff:

- **Jeffrey Ryan Fenton** is a U.S. citizen residing and domiciled in Genesee County, Michigan, with an address of 17195 Silver Parkway #150, Fenton, MI 48430.

Defendants:

- **Virginia Lee Story** is believed to be a U.S. citizen residing and domiciled at 111 Jonathan Court, Franklin, TN 37069.
- **Michael Weimar Binkley** is believed to be a U.S. citizen residing and domiciled at 1109 Sneed Glen Drive, Franklin, TN 37069.
- **Kathryn Lynn Yarbrough** is believed to be a U.S. citizen residing and domiciled at 408 Preakness Drive, Thompsons Station, TN 37179.
- **Elaine Beaty Beeler** is believed to be a U.S. citizen residing and domiciled at 437 Battle Avenue, Franklin, TN 37064.
- **Sara Rebecca Baxter** is believed to be a U.S. citizen residing and domiciled at 34 Laurel Way NE, White, GA 30184.
- **Mary Elizabeth Maney Ausbrooks** is believed to be a U.S. citizen residing and domiciled at 120 Meadows Road, White House, TN 37188.
- **Alexander Sergey Koval** is believed to be a U.S. citizen residing and domiciled at 281 Paragon Mills Road, Nashville, TN 37211.
- **Henry Edward Hildebrand III** is believed to be a U.S. citizen residing and domiciled at 217 Lauderdale Road, Nashville, TN 37205.
- **Roy Patrick Marlin** is believed to be a U.S. citizen residing and domiciled at 6586 Eudailey-Covington Road, College Grove, TN 37046.
- **Charles M. Walker** is believed to be a U.S. citizen residing and domiciled at 1925B Warfield Drive, Nashville, TN 37215.
- **Thomas Earl Eugene Anderson** is believed to be a U.S. citizen residing and domiciled at 947 Russell Street, Nashville, TN 37206.
- **Samuel Forrest Anderson** is believed to be a U.S. citizen residing and domiciled at 4509 Beacon Drive, Nashville, TN 37215.
- **Frank Goad Clement Jr.** is believed to be a U.S. citizen residing and domiciled at 220 Wilsonia Avenue, Nashville, TN 37205.
- **Andy Dwane Bennett** is believed to be a U.S. citizen residing and domiciled at 1116 Mistletoe Circle, Hermitage, TN 37076.
- **William Neal McBrayer** is believed to be a U.S. citizen residing and domiciled at 9034 Meadowlawn Drive, Brentwood, TN 37027.
- **James Michael Hivner** is believed to be a U.S. citizen residing and domiciled at 8019 Sara Jane Lane, Bartlett, TN 38133.
- **John Brandon Coke** is believed to be a U.S. citizen residing and domiciled at 4324 Barnes Cove Drive, Nashville, TN 37211.
- **Sandra Jane Leach Garrett** is believed to be a U.S. citizen residing and domiciled at 2021 Hunterwood Drive, Brentwood, TN 37027.
- **Story, Abernathy and Campbell, PLLP** is a law firm located at 136 4th Avenue South, Franklin, TN 37064 (hereinafter “SAC”).
- **Rothschild & Ausbrooks, PLLC** is a law firm located at 1222 16th Avenue South, Suite 12, Nashville, TN 37212 (hereinafter “R&A”).

- **Spragins, Barnett, & Cobb, PLCNS** is a law firm located at 312 East Lafayette, Jackson, TN 38301 (hereinafter “SBC”).
- **Rubin Lublin TN, PLLC** is a law firm located at 119 South Main Street, Suite 500, Memphis, TN 38103 (hereinafter “RLTN”).
- **Bank of America Corporation** is a financial institution headquartered at 100 North Tryon Street, Charlotte, NC 28202 (hereinafter “BOA”).
- **BancorpSouth, Inc.** is a financial institution headquartered at One Mississippi Plaza, 201 South Spring Street, Tupelo, MS 38804 (hereinafter “BCS”).
- **State of Tennessee*** is a government entity with an office located at 425 5th Avenue North Nashville, TN 37243 (hereinafter “the State”).
- **County of Williamson Tennessee*** is a government entity with an office located at 1320 West Main Street, Franklin, TN 37064 (hereinafter “the County”).
- **Chancery Court for Williamson County Tennessee*** is a government entity with an office located at 135 4th Avenue South #236, Franklin, TN 37064 (hereinafter “Chancery Court”).
- **Tennessee Court of Appeals Middle Division*** is a government entity with an office located at 401 7th Avenue North, Nashville, TN 37219 (hereinafter “Appellate Court”).
- **Supreme Court of the State of Tennessee*** is a government entity with an office located at 401 7th Avenue North, Nashville, TN 37219 (hereinafter “Supreme Court”).
- **Board of Professional Responsibility of the Supreme Court of Tennessee*** is a government entity located at 10 Cadillac Drive, Brentwood, TN 37027 (hereinafter “BPR”).
- **Tennessee Administrative Office of the Courts*** is a government entity with an office located at 511 Union Street, Suite 600, Nashville, TN 37219 (hereinafter “Admin Office”).

*The last six defendants will be collectively referred to hereinafter as “State Defendants.” Venue for diversity jurisdiction cases is governed by 28 U.S. Code § 1332, which allows Plaintiff to file this complaint in the U.S. district court in his home state. See *Ferens v. John Deere Co.*, 494 U.S. 516 (1990).

III. INTRODUCTION

(1) GENERAL BACKGROUND

1. The genesis of this complaint came colored as a domestic divorce action (with no children), executed in Chancery Court—bundled along with a completely unnecessary, strategically engineered, precisely timed, fraudulent bankruptcy filing to cheat Plaintiff out of his property interests while alleviating his ex-wife of all financial responsibility for paying the significant transitional alimony Plaintiff and his ex-wife had repeatedly agreed upon.

2. This is a *pro se*¹ complaint entitled to a liberal reading and less stringent standards since it was prepared without assistance of counsel. See *Haines v. Kerner, et al.*, 404 U.S. 519, 92 S. Ct. 594 (1972).

¹ Case 1:23-cv-01097-PLM-RSK, ECF No. 1-35, PageID.1960