

IN THE COURT OF APPEALS OF TENNESSEE
MIDDLE DIVISION, AT NASHVILLE

JEFFREY RYAN FENTON,
Appellant/Ex-Husband,

v.

FAWN ██████████ FENTON,
Appellee/Ex-Wife

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COA #M2019-02059-COA-R3-CV
Docket #48419B

MOTION TO SUPPLEMENT & CORRECT THE RECORD

1 COMES NOW the Appellant/Ex-husband, Jeffrey Ryan Fenton, representing myself “Pro
2 Se” in this matter, not being able to afford legal counsel or representation, filing the above-
3 captioned Motion, and for grounds would show as follows:

4 First, I would like to bring to the court’s attention, the disabilities with which I have been
5 diagnosed, suffer from, and continue ongoing treatment for. Please see my ADA “Request for
6 Modification Form” (under Judicial Branch Policy 2.07), filed with the Court of Appeals on
7 7/8/2020, and attached hereto separately, for confidentiality purposes, per Mr. Hivner’s
8 instructions. I hereby request any consideration which the Court is able to allow me under this
9 policy, as well as due to my poverty and my forced relocation to Michigan, both subsequent to the
10 actions of Ms. Fawn ██████████ Fenton, Attorney Virginia Lee Story, along with the rulings of the
11 Williamson County Chancery Court.

12 In accordance with T.R.A.P. RULE 24(g), my goal is to explain briefly (1) why the content wasn’t
13 originally included or needs to be corrected, in the Record (2) explain the relevance and importance
14 of the content, (3) and why the content is “necessary to convey a fair, accurate and complete

15 account of what transpired in the trial court with respect to those issues that are the bases of (my)
16 appeal.”

17 I will specify my REQUESTS with a very concise WHY near the top of this document, before
18 providing you with a more comprehensive and complete explanation, with what I believe justifies
19 each request below. It is counter-intuitive for me to present my requests prior to the lengthy
20 justification, however; to simplify, clarify, and expedite this process for the Court, I believe that
21 in my circumstances that this format will best serve us both.

22 I’m trying to get some documentation to the Court to correct and complete my record, so that I
23 can have a chance to Cite what REALLY transpired during my case in Williamson County
24 Chancery Court.

25 **REQUEST:** Please SUPPLEMENT the attached “EXHIBIT-B” to my 8/29/2019 filing, currently
26 titled “HUSBAND’S RESPONSE AND COUNTERMOTION TO WIFE’S MOTION FOR
27 VIOLATION OF THE EX PARTE ORDER OF PROTECTION AND FOR DATE CERTAIN
28 FOR WALK THROUGH OF HOUSE AND MOTION FOR SCHEDULING ORDER”

29 **ATTACHMENT:** “2019-08-29 EXHIBIT-B to HUSBAND’S RESPONSE and COUNTER
30 MOTION (SUPPLEMENT PLEASE).pdf”

31 **WHY:** Because I had it written and it is referenced in that ONE and ONLY filing which I presented
32 to the Court. It contains CRUCIAL evidence to support my defense. But since this was my first
33 time representing myself in Court, as I tried to compensate for first the negligence, followed by
34 the omissions of my Counsel, I attempted to correct ALL the False/Fraudulent/Perjurious
35 narratives, testimonies, and allegations brought against me to date, through all three actions (which
36 I believed were OPEN for addressing, due to the broad language of Ms. Story’s complaint).
37 Consequentially, I was seriously overwhelmed, and worked on this tirelessly for days, right-up
38 until I was already running LATE for my Court Hearing on the morning of 8/29/2019, forced to
39 abandon that which I could not complete, or complete correctly.

40 You can verify this by viewing the TIMESTAMPS of my filings (TR. v1-v3, p119-380), that I
41 was already 20-minutes late for Court. I had this “EXHIBIT-B” completely printed at my home
42 before rushing to Court, but during my panic to hurry while printing/sorting/stacking/binding over
43 a thousand pages (a copy for the Court, a copy for Ms. Story, and a copy for me, with piles of
44 misprints), I assembled and GBC Bound this Exhibit last. Somehow the collated pages from my
45 three copies got mixed-up, and despite my desperate attempts, I simply couldn’t get them sorted-
46 out and bound in time. I finally had no choice but to leave this Exhibit at my home, despite its
47 value, so that I could rush to Court, file the documents at the Clerk & Masters, then run to the “Old
48 Courthouse” in Franklin for my Hearing (which I was thankfully in time for).

49 **REQUEST:** Please CORRECT a typographical error in my 8/29/2019 filing, currently titled
50 “HUSBAND’S RESPONSE AND COUNTERMOTION TO WIFE’S MOTION FOR
51 VIOLATION OF THE EX PARTE ORDER OF PROTECTION AND FOR DATE CERTAIN
52 FOR WALK THROUGH OF HOUSE AND MOTION FOR SCHEDULING ORDER” (TR. v1-
53 v2, p119-181).

54 The typographical ERROR is located at the top of TR. v2, p178 (document p60), on line item #1,
55 which currently states: “1. The court order a full and final divorce to Husband and Wife, on the
56 grounds of Irreconcilable Differences. The Order of Protection be made permanent and that
57 Husband be required to pay her attorney's fees for having to bring this Motion.”

58 This sentence was meant to only say: “1. The court order a full and final divorce to Husband and
59 Wife, on the grounds of Irreconcilable Differences.”

60 **Please REMOVE/STRIKE the second sentence in that same line, which accidentally reads:**
61 *“The Order of Protection be made permanent and that Husband be required to pay her attorney's*
62 *fees for having to bring this Motion.”*

63 **ATTACHED:** “PAGE 178 (TR v2) REQUEST to CORRECT Typographical Error (STRIKE
64 ERROR PLEASE).pdf”

65 **WHY:** I had used Ms. Story's document as a TEMPLATE, having no idea how to draft a response,
66 and I left parts intact until I reached them, so to maintain some structure from which I could
67 determine what I should write and where. Obviously in my rush, I forgot to remove this sentence
68 from Ms. Story's pleading. Obviously I didn't INTEND to ask the Court to Order an OP against
69 me, nor did I INTEND to ask the Court to Order that I pay all of Ms. Fenton's legal fees, since I
70 am unemployed, broke, and I couldn't even afford legal counsel for myself!

71 In my rush to Court on the morning of 8/29/2018, this document was a bit of a mess, having drafted
72 it AFTER I had composed all of my Exhibits. As such, I didn't have TIME to proof-read this
73 document before rushing off to court. The FIRST time that I printed the document, feeling the
74 immense pressure of running late for Court, but KNOWING that I couldn't leave without
75 EXECUTING this document, otherwise my past 72-HOURS worth of work were for NOTHING
76 (which regretfully has happened to me before), I accidentally printed THREE copies of this
77 document with Ms. Story's name and signature as the author, before I could catch it and replace
78 her name and signature with my own. That was my last "edit" before running out the door.

79 There COULD be other similar oversights within this document, which I hope that the Court will
80 be graceful towards, having done my very best with the time, knowledge, and resources at my
81 disposal. The formatting is horrible, attempting to indent for sub-topics, but then getting lost,
82 rendering half the page useless, while I repeat myself in a number of places. I also wasn't sure of
83 the number of Exhibits, so I started numbering with "EXHIBIT-A" for the most important exhibits,
84 but at some point, I started backwards with "EXHIBIT-Z" for what I believed to be the least
85 important of my exhibits, hoping to meet somewhere near the middle. As stated, I simply didn't
86 have TIME after the fact, to go back and reorder the Exhibits sequentially starting with "A", as
87 one would typically expect.

88 **REQUEST:** I ask that the Court PLEASE read, include, consider the full content of each of my
89 EXHIBITS, using each Justice's own powers of deduction and reason to "connect-the-dots"
90 between the EVIDENTIARY VALUE of my EXHIBITS, to my CLAIMS made in any filed
91 answer, motion, counter-complaint, or otherwise.

92 I HOPE that the Court will please excuse my lack of legal experience, procedural practices and
93 failures to CITE the Exhibits correctly, along with my horrible page formatting of that parent
94 document, so that my full testimony may be heard and considered.

95 **WHY:** I didn't/don't understand HOW exhibits work, or are supposed to be referenced
96 throughout, from the Parent document. I THOUGHT that as long as EXHIBITS were filed along
97 with the Court response, as an EXHIBIT to that response, that each exhibit would be read in its
98 entirety, being self-explanatory, and given consideration for the evidence which each contains. I
99 didn't learn that I need to more specifically spell out references, links, and connections, from the
100 parent document, until I had TIME to perform legal research, months later. I'm still not sure that
101 I fully understand HOW I should reference Exhibits correctly, but I certainly have a much better
102 idea now than when I drafted the documents currently in my Record.

103 **REQUEST:** Please CORRECT the TITLE/STYLE/INDEX/NAME/INTENT/PURPOSE of my
104 8/29/2019 filing, currently titled "HUSBAND'S RESPONSE AND COUNTERMOTION TO
105 WIFE'S MOTION FOR VIOLATION OF THE EX PARTE ORDER OF PROTECTION AND
106 FOR DATE CERTAIN FOR WALK THROUGH OF HOUSE AND MOTION FOR
107 SCHEDULING ORDER" (TR. v1-v2, p119-181).

108 **TO:**

109 "HUSBAND'S RESPONSE AND COUNTERMOTION TO WIFE'S MOTION FOR
110 VIOLATION OF THE EX PARTE ORDER OF PROTECTION,
111 AND IN OBJECTION TO ORDER GRANTING MOTION TO SELL THE
112 MARITAL RESIDENCE, AND HUSBAND'S ANSWER AND COUNTER-
113 COMPLAINT TO WIFE'S COMPLAINT FOR DIVORCE,
114 HEREAFTER REFERRED TO AS HUSBAND'S "ONE AND DONE"

115

116 **ATTACHMENTS:**

- 117 • “PAGE 119 (TR v1) HUSBAND's RESPONSE & COUNTERMOTION - PAGE-1
118 (ORIGINAL - AS FILED and RECORDED).pdf”
- 119 • “PAGE 119 (REQUESTED) HUSBAND's RESPONSE & COUNTERMOTION - PAGE-
120 1 (CORRECT TITLE PLEASE to MATCH CONTENT).pdf”
- 121 • “PAGES 174-181 (TR v2) HUSBAND'S RESPONSE & COUNTERMOTION (PROOF
122 contents include DIVORCE ANSWER AND COUNTER).pdf”
- 123 • “2019-08-05 Duke & Story Agreed to Extension for Husbands Answer and Counter-
124 Complaint.pdf”

125 **IF:** The Title can not be changed, then please denote that this document ALSO CONTAINS my
126 Answer to Ms. Fenton’s Complaint for Divorce, as well as my Counter-Complaint for Divorce.
127 Although this is certainly unconventional, being my first opportunity to SPEAK for MYSELF,
128 while having suffered catastrophic damages with no TIME to think let alone respond, this was my
129 absolutely best effort at a “**ONE AND DONE!**” To address, correct, counter ALL claims made
130 against me to date, while attempting to mitigate the continuing and inevitable future damages to
131 both parties (without a final decree of divorce), before being abruptly forced out of my home and
132 consequentially out of the State of Tennessee, with nowhere local to stay or the financial provision
133 to survive on my own.

134 **WHY:** I was TRYING to match the language used by Ms. Story, but really my response ALSO
135 included my DIVORCE ANSWER and COUNTER-COMPLAINT for DIVORCE. Hoping to
136 mitigate the losses to both the Appellee and myself the Appellant, because I KNEW that Ms.
137 Fenton would not stop short of a JUDICIAL DIVORCE DECREE, while I reduced what Ms.
138 Fenton had previously promised me to less than HALF.

139 Although I still completely believed that the topic of our DIVORCE had yet to even BEGIN in the
140 Court, since all that Ms. Story had showed any interest in so far was BINDING ME, EVICTING
141 ME, and SELLING MY HOME.

142 **Likewise, I had been instructed by my Counsel, Charles M. (Marty) Duke, that he and Ms.**
143 **Story had agreed to an extension for filing my “Answer & Counter-Complaint”, despite how**
144 **far technically overdue.** Mr. Duke further informed me in the attached email (which I ask that
145 you also please supplement to my record, so that I can cite it in my brief), **“2019-08-05 Duke &**
146 **Story Agreed to Extension for Husbands Answer and Counter-Complaint.pdf”** that I should
147 NOT file ANYTHING PRO-SE prior to Shaffer & Duke being relieved as counsel in my case.

148 The hearing for Shaffer & Duke to be relieved as my Counsel, was scheduled for the morning of
149 8/29/2019, the very same day as I filed my exhaustive “ONE AND DONE” and had my Trial with
150 Ms. Story and Chancellor Michael W. Binkley, where she and the Court threw the book at me.

151 Despite any accusations or filings to the contrary, to protect people’s pride or interests, my initial
152 Counsel, Ms. Brittany Gates completely, negligently, failed to perform. Day after day, and
153 sometimes hour after hour, she promised to produce a draft of my “Husband’s Answer and
154 Counter-Complaint for Divorce”, yet I have still to this day, never seen a single draft of that
155 document. Nor did I ever receive any portion of my Client File which she also promised to provide
156 me. So that’s \$4,500 of my mother’s money, which I’d sure like to get back, but she has
157 unfortunately refused.

158 On Thursday July 25th at 7:42 PM I finally gave-up and terminated my service with Ms. Gates, as
159 evidenced by the attached email, and hired Schaffer & Duke in an emergency attempt at saving
160 everything treasured in my life, which was scheduled for Trial on Thursday August 1st, at 9 AM.
161 Schaffer & Duke had Friday July 26th (which was devoted to hiring them, signing contracts,
162 borrowing another \$5k from my mom to pay their retainer, on-boarding formalities). Which then
163 left Shaffer & Duke only Monday July 29th, Tuesday July 30th, and Wednesday July 31st , as I
164 unintentionally overwhelmed them with literally HUNDREDS of pages of “EVIDENCE”, as they
165 worked to get parts of my Client File from Brittany Gates, to write verbal responses due that day,
166 on Monday per local Court Rules for Williamson County, with only TWO DAYS left (while also
167 maintaining their pre-existing case loads) to prepare to FIGHT FOR MY LIFE at the Trial with
168 Chancellor Binkley, scheduled on Thursday August 1st, at 9 AM.

169 Schaffer & Duke requested more TIME from both Ms. Story and from Chancellor Binkley, to
170 study the case and prepare, as they had only been on my case for a few days (due to Brittany Gates
171 negligence), but both Ms. Story and Chancellor Binkley refused to provide them with any time to
172 study my case and prepare to SAVE MY LIFE.

173 Instead, EVERYTHING was LOST in that one hearing, while later that day, after the hearing, I
174 learned that Schaffer & Duke had not only exhausted my \$5k retainer already, but that I owed their
175 firms another thousand dollars. The firm owner Rachel Schaffer contacted me that evening
176 notifying me that she needed another \$6k immediately, for them to continue representing me. At
177 which point, I told them that I could no longer afford to retain them.

178 Since Ms. Fenton had filed for Bankruptcy, so I wasn't going to obtain much if any support from
179 her (although previously promised \$21k per year for 6-years), and the Court had just ordered the
180 forced sale of my treasured HOME, by Auction with no minimums. Meanwhile, by some slight-
181 of-hand by Ms. Story, all my personal property was being treated as marital property, to be
182 AUCTIONED along with our home – while Ms. Fenton's personal property was all off-site, in her
183 Apartment in addition to one or two storage units which she had filled-up, so there was nothing
184 left to fight for. I simply could not justify borrowing thousands of dollars more from my mother,
185 when unlike Ms. Fenton's family, my mother is NOT wealthy, but rather was a single nurse, who
186 worked 12-hour shifts, while raising FIVE children. Currently my mother lives in a 780 SqFt
187 home, left to her by my grandparents, on a very modest budget!

188 I had just wasted \$10k of my mother's money, and we had not even BEGUN to talk about the
189 DIVORCE yet! As I understand it, that is by definition, LITIGIOUS ABUSE – intentionally
190 depleting someone's financial resources, defending themselves against FALSE CLAIMS in
191 DECEPTIVE, ABUSIVE, and UNNECESSARY legal actions, prior to the primary action even
192 being addressed!

193 I released Shaffer & Duke, not because of differences of opinion as they stated in court to save
194 face, but because I had no more MONEY to PAY them, and I had PROMISED them as a matter

195 of HONOR when they took my case, that I would NEVER ALLOW the Court to FORCE them to
196 continue representing me FOR FREE!

197 Since I had no job, income, assets, Mitchell explained to me that I was “uncollectable”, so the
198 owner Rachel Schaffer requested that MY MOTHER sign with their firm as a “guarantor” to an
199 undefined, open-ended amount of debt to them, to cover any legal fees which I accrued. I was not
200 willing to do that, nor was my mother.

201 Mitchell explained to me how at times a Judge will order an attorney to continue representing a
202 party, even when the party can no longer afford to pay, and that his boss Rachel Schaffer was
203 merely trying to protect their firm from being required to essentially “work for free”. That made
204 plenty of sense to me, so I gave Mitchell my WORD that I would never allow that to happen to
205 their firm, even if to prevent it, I needed to “FIRE” them. I would not allow them to be FORCED
206 to WORK FOR FREE to represent me!

207 So, despite whatever their motion said, I had asked them to do whatever was needed to get released
208 from my case, and I would SIGN it. No matter the wording, it was a matter of HONOR for me,
209 never a DISAGREEMENT in how to proceed. We did see different values in “correcting” Ms.
210 Story’s “false narrative”, which I felt was critical since it was the foundation upon which all three
211 malicious actions were based. Still, that would have never caused us to part paths. I was never of
212 any false belief that I would fare better without them. I just could not afford to pay them anymore
213 (nor even rationalize it), and I did not want them to be required to work for free! The Court
214 chastised me as though I was an egomaniac favoring self-representation, as if I believed that I
215 could do a better job by myself, but that was not the case. I was just keeping my word, despite the
216 consequences. Some people still do that.

217 Representing myself Pro-Se at that point, with almost everything lost anyways, I attempted what
218 I referred to as my “ONE AND DONE”. An in depth, comprehensive response, to nearly every
219 LIE brought against me, during all three related actions, using graphic photographs, unmistakable
220 text messages and emails between myself and Ms. Fenton, literally 250 pages of Exhibits, bound

221 into booklets by subject, type, and purpose, plus a 63 PAGE ANSWER/CONTER (TR.v1-2 ,
222 p119-181) which I hoped would PUT EVERYTHING TO BED once and for all!

223 Exposing the vast majority of lies waged against me! Showing without doubt that Ms. Fenton is
224 not a victim! Showing her in living color with her Assault Weapons, performing military grade
225 training in the Nevada Desert, along with her array of handguns, her 5,000 rounds of ammunition
226 which I inventoried and she counted and signed for when she moved out. Displaying her NRA and
227 TN State Licenses as a CERTIFIED HANDGUN INSTRUCTOR!

228 We are both Life Members of the NRA, but I casually shoot once every two or three years at a
229 local range, while she typically spends 4-days in the Nevada Desert, at a World Renowned training
230 facility known as “Front Sight Firearms Institute”, where her and her brother Mark (MBA & Ex-
231 Marine) both have LIFE MEMBERSHIPS (costing around \$20k each I believe), where they
232 typically go through a thousand rounds of ammunition EACH during a 3 to 4 day training class.
233 Ms. Fenton was also certified by and employed at “Front Sight Firearms Institute”, as one of their
234 LINE COACHES, in their Defensive Handgun class.

235 I can’t remember a time, when I’ve ever gone to a gun range with Ms. Fenton, where the RANGE
236 MASTER hasn’t told me before leaving, “**You better be NICE to her!**” Because Ms. Fenton can
237 outshoot me 10 to 1! For me, it is occasional FUN (and expensive), for her, its a SERIOUS
238 DISCIPLINE! (I could greatly expound upon this, with documentation galore, but trust me, Ms.
239 Fenton’s greatest danger is to herself.)

240 I couldn’t believe that ANYONE could SEE THE PICTURES included in the EXHIBIT-K filed
241 on 8/29/2019 (TR.v2-3, p297-336), not to mention Ms. Fenton’s Training RESUME, her Firearms
242 Licenses and Certifications, the Photo of Ms. Fenton shaking hands with Mayor Karl Dean, while
243 standing beside the Metro Police Chief, and still believe that she was in ANY DANGER of ANY
244 KIND!

245 I was SURE that was one of those “GOTCHA” moments, where any man, woman, or child would
246 say, WOW! That lady looks scary! NOBODYS going to mess with her! But to my great

247 disappointment, my shock, and my dismay, it didn't even raise an eyebrow! That was when I
248 KNEW that I was in trouble!

249 BEFORE that realization of mine, I felt SURE that the COURT would be FURIOUS with Ms.
250 Story and with Ms. Fenton, for intentionally "PLAYING THE COURT", manipulating the legal
251 system, to intentionally harm the clearly disadvantaged party. I honestly believed that the Court
252 was going to lash-out in my defense, after all the harm which I experienced under their command,
253 based primarily upon the FALSE NARRATIVE, lies, manipulation, deception put forth by Ms.
254 Story and Ms. Fenton.

255 It astonishes me that I must continue fighting day after day, trying to simply redeem a fraction of
256 what was ALREADY MINE! While with the evidence which I submitted in my "ONE AND
257 DONE" it seems like the truth would be self-explanatory, and my name would be redeemed. Yet
258 that is not the case.

259 During two short hearings, my life was deprived of everything of substance that I had, while also
260 branding me with criminal designations such as ordering that I have been proven to be a
261 "STALKER", of having "ABUSED" my beloved wife, while permanently tarnishing my criminal
262 record with an ORDER OF PROTECTION, all by "DEFAULT JUDGMENTS", without even
263 considering the 250-PAGES of EVIDENTIARY PROOF which I had served to the Court on a
264 silver platter!

265 I don't know any just way to understand or explain that. Even if the Court somehow was
266 completely tricked by the false and fraudulent narrative of Attorney Virginia Lee Story, I was still
267 entitled to be HEARD, and the Court had every bit of information in their hands to hear me,
268 whether I was still residing in Tennessee or forced to relocate to Michigan (merely to survive).

269 Beyond that, I cried out to the Court for help, notifying them about the perceived intentional abuse
270 I was experiencing by Ms. Story and Ms. Fenton (see below), plus I reached-out throughout the
271 Tennessee Court System, emailing the Clerk & Master and Chancellor Binkley through his
272 secretary and Ms. Beeler, as well as repeatedly pointing out the abusive inaccuracies to Ms. Story,

273 correcting her false accusations with the truth, trying to ensure there were no “oversights”, that
274 every harmful action was for cause or malice, not due to mistakes. Citing both the law and her
275 oath of office, attempting to persuade her to at least allow me to LIVE through this and have the
276 opportunity to start over from scratch, without a dollar to my name or a job or trade which can
277 sustain me, at 51 years of age! She had told my Counsel Attorney Marty Duke that she was going
278 to bring an MDA for me to the 8/29/2019 hearing, but she never gave me that opportunity either.

279 My understanding of TN law is that when these claims about legal abuse are made, the court is
280 required to STOP and INVESTIGATE the voracity of the claims, but nothing slowed-down my
281 execution. From what I experienced, there was no way within my means to convince the Court the
282 TRUTH about anything, no matter how much “evidence” I have. Again, I’m experiencing the
283 same thing, I’m not allowed to submit any real substantial, verifiable, even certified evidence.
284 How can I stand up to the legal titans who have slain me, without even considering the evidence
285 of what really happened? How does that ever give me a chance, if they never allowed me to
286 participate so that I could defend myself against both the opening assumptions which Ms. Story
287 leads with (assassinating my character) plus the closing justification of the home being a mess, in
288 disarray, while I had over 30-days’ notice... her assertions are not true. I have proof. Why can’t I
289 submit any of EVIDENCE about what truthfully happened?

290 Ms. Story starts off with claiming that I am a monster and I refused to cooperate to sell our home,
291 if I can’t SHOW the Court what really happened, then how am I to meet the “burden of proof”,
292 while the default assumption of the Appellate Court is that the Trial Court ruled correctly? Our
293 divorce took over a year, it involved the most time working with Sandy Arons, MBA toward a
294 “Collaborative Divorce”, followed by two different legal actions (plus the two extra which Ms.
295 Story filed simply to harass, abuse, and overwhelm me, draining my financial resources to defend
296 myself in our actual “divorce”) while assassinating my character before I ever entered a court
297 room. No Court has heard 95% of that journey! Why am I not allowed any “case management” or
298 to have anyone look at this holistically and try to figure out what is honestly fair, in the spirit of
299 the law, rather than who can form the greatest legal argument and cite the best case law? In which
300 case I never had a chance.

301 I understand the value of reaching the TRUTH, which is exactly what I want. But how can that
302 happen when they tore my whole life apart in two-months' time, while I had to straddle such
303 massive transitions, requesting TIME simply to complete my move to Michigan (having been
304 rendered otherwise homeless). So, if I stayed in Tennessee, what would have happened to me? If
305 not for my mother (who shouldn't need to intervene at my age, especially with the resources we
306 HAD) would I just be sleeping in the streets starving or at the Rescue Mission downtown, with no
307 shelter, provision, or opportunity at all for transition? Because they strategized to withhold notice
308 from me of Ms. Fenton's financial failure, even when I emailed her and nicely asked? What does
309 it take to just get someone to look at the legal fees alone which Ms. Fenton spent and determine
310 that rendering me immediately homeless maybe isn't quite fair? Or in the best interest of either
311 party, or society at large...

312 I knew that I had no chance against Attorney Virginia Lee Story, but I still honestly believed that
313 the Court would at least hear me, care and give me some consideration before rendering me
314 homeless and destitute, from a comfortable middle class living! I spent 25-years in Tennessee and
315 loved it there, without incident. I never dreamed that I was only two-months (two thirty-minute
316 hearings), comprised of 7.1 minutes of testimony away from being HOMELESS!

317 Again, I reached out repeatedly for help, to notify the Court that I was being litigiously abused,
318 seeking any sort of intervention or Case Management which would help me NOT become
319 homeless and destitute without being forced to relocate to Michigan to live in my mother's
320 basement, but no one ever even acknowledged my pleas:

321 (TRv1-2, p148-152)

322 As verified by the attached exhibits, the fraudulent narrative, and the motions and petitions
323 filed by Wife hence far, Husband respectfully asks the court for relief, under the legislation
324 known as "Stalking by Way of the Courts". Wife has filed abusive motions and petitions in
325 this divorce, designed to "harass or maliciously injure" the Husband, by exhausting his
326 economic resources and trying to force him to make financial concessions.

327 This is simply a litigious form of domestic assault. Also referred to as "malicious prosecution
328 or abuse of the legal process". All filings by Wife under Docket No: 48419B, show some form
329 of this oppressive harassment, stalking, and domestic abuse.

330 Additionally, the "MOTION TO DEEM HUSBAND SERVED", and all the attached ugliness,
331 including our custom "No Trespassing" signs (which Ms. Fenton designed at work using her
332 CAD Architectural Software), at the entry, designed collaboratively by Husband and Wife
333 together. Yet falsely portrayed by Wife, as an irrational act by Husband, further used as
334 justification for the Ex Parte' Order of Protection, filed by Wife against Husband, to further
335 harass, control, stifle, dominate, and injure Husband's first and second amendment
336 constitutional rights, knowing exactly how crucial those freedoms are to both Husband and
337 Wife.

338 Wife's counsel filed this motion on 6/20/2019, the day AFTER Husband's counsel (then),
339 Attorney Brittany Gates, communicated with Ms. Story on 6/19/2019, informing her that Ms.
340 Gates was representing Husband, that Husband had already received service, and that Ms.
341 Gates was Husband's Counsel of Record. None the less, Wife's counsel filed this motion with
342 the court, though totally unnecessary, purely for the opportunity to further smear the Husband's
343 name, with their false and fraudulent narrative, solely for more litigious leverage over
344 Husband. (They weren't going to let all that good ugliness go to waste.)

345 Furthermore, Ms. Story's Paralegal Heidi Macy directly emailed the documents to Husband,
346 though they had already received notice that Ms. Gates was Husband's Counsel of Record.
347 Such created an ex parte' communication, which was wholly abusive and unnecessary
348 (Exhibit-C).

349 TRv2, p172-173

350 b Husband prays that the court will defend him in regard to Ms. Story's abusive treatment,
351 and/or that she be replaced by another member of her firm in this matter, having failed to act
352 as her office should require.

353 c Husband has no objection to waiving the Mediation, as Wife has made it clear to Husband
354 that she is in no way wanting to participate in any collaboration, mediation, or any other fair,
355 neutral third-party assisted solution, or we would be divorced by now. Wife is only interested
356 in a judgment, and refuses to settle by any other means, despite having filed bankruptcy, and
357 the dire financial condition of both parties.

358 i For the purpose or again correcting the narrative of Ms. Story's verbal attacks by legal
359 process, Husband wants to clarify that Wife's desire to skip mediation has nothing to do with
360 her fear of Husband, especially for the ridiculous benefit of being mindful of the safety of
361 everyone else involved in the process. I've never been more falsely harassed by anyone, and
362 again, I appeal to the court to please intervene.

363 ii The real reason why Wife has refused every attempt to sit down at the same table with
364 Husband and work towards a fair solution, has absolutely nothing to do with Husband's words,
365 the intensity of his presence, or any pressure which Husband could emotionally inflict upon
366 Wife.

367 iii The reason is because Husband is the one person in the entire World, which Wife really
368 struggles looking in the eyes and lying to, about her fraudulent, victimized narrative, since
369 Husband was THERE with Wife, and remembers vividly what really happened and what did
370 not. In contrast, most other people take Wife at face value, seeing her obviously distraught,
371 disheveled, and injured impressions, not realizing that the majority of what they are being told,
372 is either a really twisted version of the truth, or an absolute lie. While the signs of abuse which
373 she portrays, some of which are real, but are self-inflicted, and never ceasing, by Wife's
374 relentless desire to discard Husband without a penny of alimony, vocational rehabilitation, a

375 roof over his head, or food for his belly. Wife is absolutely destroying herself, fighting to be
376 what she calls "free" or "independent", unwilling to recognize or accept any financial
377 obligation, responsibility, or reparations for the impact which she has had upon the Husband's
378 life, as it lies all in ruins now, and in two months another family will be living in the home
379 which Husband invested the proceeds of his entire life, both financially, and in labor.

380

381 My ultimate goal in all of this, is to expose the truth. While at least RESTORING my PERSON,
382 my reputation, and my rights as an AMERICAN CITIZEN, so that I can work on rebuilding my
383 life from ground-zero. My secondary HOPE, is that the Court of Appeals, Williamson County, or
384 some division of Tennessee Government might take actions to ensure that a more comprehensive
385 system of “checks and balances” exists, that some government investigation be performed before
386 allowing ANY Court to rule in situations resulting in such monumental damages to an individual,
387 especially when that is ALL they have!

388 As I pray for the full force of perjury charges to become more accessible and widely used in the
389 Tennessee civil Court system. Especially against Attorneys who are granted the “benefit of the
390 doubt” in Court, yet who abuse that intentionally for profit or sport (domination).

391 Furthermore, that the financial penalties for any Attorney caught lying or deceiving the Court,
392 regardless whether Civil or Criminal, be so ABSURDLY HIGH, that no attorney ever dare attempt
393 such atrocities again, while acting under the umbrella of authority and trust granted to Members
394 of the Court. Simultaneously enacting a system of prosecuting such cases automatically at the
395 STATE level, rather than in their County Courts, where they have the “home field” advantage!

396 With everything that I’ve lost, with as quickly as I lost it, while never even being heard first, I sure
397 wish there was a way that some change could result which would help protect the next person who
398 unfortunately finds themselves in my shoes, broke in a rich man’s county, lied about by my ex-
399 wife (which happens to some degree in almost every divorce case, yet according to the orders of

400 the Court in my case, every word Ms. Fenton spoke was taken verbatim), backed by an attorney
401 who is well known and trusted by the Court.

402 I am going to do my best to write a brief, I appreciate you still extending the opportunity, although
403 it will never be stand-up to whatever Ms. Story can write in reply. If there is no consideration for
404 the person, beyond the words and the arguments, then it will all be for nothing, but I must try
405 before starting another two-year journey seeking justice and restoration somewhere else.

406 I ask that you please supplement the record with these few items, along with these few corrections,
407 so that I have an opportunity to have something on record which I can cite to help expose the truth
408 of what really happened.

409 Since there are no “agreed orders” in Williamson County for Pro Se litigants, Ms. Story literally
410 got to write every meaningful word in my record to date. Please allow me something to stand upon
411 in my defense.

DECLARATION

I, JEFFREY RYAN FENTON, declare under penalty of perjury that the foregoing is true
[Insert Appellant/Appellee or counsel]
and correct to the best of my knowledge.

Respectfully submitted on: 10/28/2020


[Signature of Appellant/Appellee or counsel]

JEFFREY RYAN FENTON (pro se)

17195 Silver Parkway, #150

Fenton, MI, 48430

(P) 615.837.1300

(F) 810.255.4438

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was forwarded either via U.S. mail, faxed, emailed, hand-delivered, and/or shipped by courier to:

Virginia L. Story
136 4th Ave. South
Franklin, TN 37064
Fax: (615) 790-7468
Email: virginia@tnlaw.org

Clerk & Master
P.O. Box 1666
Franklin, TN 37065-1666
Fax: (615) 790-5626
Email: elaine.beeler@tncourts.gov

Court of Appeals
100 Supreme Court Building
401 Seventh Avenue North
Nashville, TN 37219-1407
Fax: (615) 532-8757
Email: appellatecourtclerk@tncourts.gov

Forwarding Date: 10/28/2020



JEFFREY RYAN FENTON (pro se)

Jeff Fenton

From: Charles M. Duke <marty@mdukelaw.com>
Sent: Monday, August 5, 2019 6:39 PM
To: Jeff Fenton
Cc: Mitchell Miller
Subject: RE: Fenton v. Fenton

Categories: 4-Email: Important Information

Jeff:

There is no definite date certain by which I agreed with Ms. Story to file an Answer & Counter-Complaint. However, until there is an Order entered relieving us as counsel in this matter, you should not file anything pro se.

Thanks. have a good evening.
Marty

From: Jeff Fenton
Sent: Monday, August 05, 2019 5:36 PM
To: Charles M. Duke
Cc: Mitchell Miller
Subject: RE: Fenton v. Fenton

Thanks Marty.

Can you simply inform me of any critical dates which I need to self-represent by, as I can not afford further representation:

For example, when did you get the ANSWER & COUNTER COMPLAINT extended to?

Any other time critical dates would be greatly appreciated.

Thanks.

JEFF FENTON
METICULOUS.TECH

(615) 837-1300 OFFICE
(615) 837-1301 MOBILE
(615) 837-1302 FAX

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SUBMIT OR RESPOND TO A SUPPORT TICKET [HERE](#).

A DIVISION OF METICULOUS MARKETING LLC

1. The court order a full and final divorce to Husband and Wife, on the grounds of Irreconcilable Differences. ~~The Order of Protection be made permanent and that Husband be required to pay her attorney's fees for having to bring this Motion.~~

2. That the Temporary Order of Protection be terminated. (Husband is willing to sign a "Hold Harmless" with Wife, which can be styled to include both of our families, our employers, etc... so to protect both parties from either defaming them or publishing anything online about them, for the rest of our lives. Not requiring yearly renewal as with an Order of Protection, and also not injuring Husband's vocational potential, like an Order of Protection.

3. If for any reason the court is not willing to terminate the Temporary Order of Protection, Husband respectfully requests that it only apply to Davidson and Williamson Counties, and that it not be converted into a full order, so not to affect Husbands employment potential. (Husband's firearms are located in a friend's gun vault in Goodlettsville. Husband needs to be able to legally pick them up in the U-Haul, while driving North toward Michigan, as Husband moves there for the foreseeable future.)

4. That the court divide any proceeds remaining from the sale of the home 50/50; while ordering both parties to continue assuming responsibility for the debts in their respective names. (Whether that be by bankruptcy or however the parties can.) Husband requests that his half of the split be paid directly to his mother, "Marsha A. Fenton" (810) [REDACTED], to help setup a trust for the future needs of Husband, educationally or otherwise. (Provided there is enough money to justify doing so.)

5. That in addition to the 50/50 split requested above, that the court repay Husband's mother, "Marsha A. Fenton" (810) [REDACTED], \$10,000 directly out of Wife's

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE
AT FRANKLIN

FILED
WILLIAMSON COUNTY
CLERK
2019 AUG 29 AM 9:17

FAWN ██████████ FENTON,)
Plaintiff/Wife,)
v.)
JEFFREY RYAN FENTON,)
Defendant/Husband.)

FILED FOR ENTRY
Docket No: 48419B

HUSBAND’S RESPONSE AND COUNTERMOTION
TO WIFE’S MOTION FOR VIOLATION OF THE
EX PARTE ORDER OF PROTECTION AND FOR DATE CERTAIN FOR
WALK THROUGH OF HOUSE AND MOTION FOR SCHEDULING
ORDER

COMES NOW the Defendant/Husband, Jeffrey Ryan Fenton, for his response to the Wife’s Motion, along with Husband’s Countermotion, stating as follows:

First Husband would like to bring to the court’s attention, the disabilities with which he has been diagnosed, and continues ongoing treatment for. If not properly understood, one could easily draw incorrect conclusions, specifically about Husband’s communications, in how he speaks and even more so, his excessive use of words when writing. Please see Exhibit-A for a thorough explanation regarding this, from both Terry M. Huff (LCSW), Husband’s Psychotherapist, and Dr. Richard E. Rochester (M.D.), Husband’s Psychiatrist.

Husband suffers from the following handicaps:

Obsessive-Compulsive Personality Disorder (OCPD) DSM-5 301.4 (F60.5)

Generalized Anxiety Disorder (GAD) DSM-5 300.02 (F41.1)

Attention-Deficit Hyperactivity Disorder (ADHD) DSM-5 314.01 (F90.2)

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE
AT FRANKLIN

2019 AUG 29 AM 9:17

FAWN ██████████ FENTON,)
Plaintiff/Wife,)
v.)
JEFFREY RYAN FENTON,)
Defendant/Husband.)

FILED FOR ENTRY _____
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HUSBAND’S RESPONSE AND COUNTERMOTION
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**IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE
AT FRANKLIN**

FAWN ██████████ FENTON,

Plaintiff/Wife,

v.

JEFFREY RYAN FENTON,

Defendant/Husband.

)
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)
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Docket No: 48419B

**HUSBAND’S RESPONSE AND COUNTERMOTION TO WIFE’S MOTION
FOR VIOLATION OF THE EX PARTE ORDER OF PROTECTION,
AND IN OBJECTION TO ORDER GRANTING MOTION TO SELL THE
MARITAL RESIDENCE, AND HUSBAND’S ANSWER AND COUNTER-
COMPLAINT TO WIFE’S COMPLAINT FOR DIVORCE,
HEREAFTER REFERRED TO AS HUSBAND’S “ONE AND DONE”**

COMES NOW the Defendant/Husband, Jeffrey Ryan Fenton, for his response to the Wife’s Motions, along with Husband’s Countermotions, addressing all allegations to date, stating as follows:

First Husband would like to bring to the court’s attention, the disabilities with which he has been diagnosed, and continues ongoing treatment for. If not properly understood, one could easily draw incorrect conclusions, specifically about Husband’s communications, in how he speaks and even more so, his excessive use of words when writing. Please see Exhibit-A for a thorough explanation regarding this, from both Terry M. Huff (LCSW), Husband’s Psychotherapist, and Dr. Richard E. Rochester (M.D.), Husband’s Psychiatrist.

Husband suffers from the following handicaps:

Obsessive-Compulsive Personality Disorder (OCPD) DSM-5 301.4 (F60.5)

Generalized Anxiety Disorder (GAD) DSM-5 300.02 (F41.1)

Attention-Deficit Hyperactivity Disorder (ADHD) DSM-5 314.01 (F90.2)

7. Husband can't apply for any insurance, until Husband has either obtained vocational rehabilitation and subsequently found gainful employment, or until Wife starts paying adequate alimony to pay for said insurance, as well as meeting some of Husband's other real financial needs, such as purchasing food, paying for meds counseling, etc... Should the court be willing to order such support for Husband, then providing the sum is adequate, Husband will be happy to apply for such independent health insurance.

8. The reality is, that contrary to Wife, Husband can definitively prove each and every word written in this response and counter motion. Husband has put forth an absolutely exhaustive effort to provide the court with some of the information which Husband feels may be pertinent to helping the court discern whether Husband or Wife is presenting the truth to the court. At the same time, this is probably 1/100th of the documentation which Husband possesses in support of his claims. The unfortunate outcome of the path which Wife has committed her life to, and is pursuing with reckless abandon, which caused her bankruptcy, which still makes bankruptcy eventually inevitable for me, as Wife continues to refuse any solution except for one appointed and ordered by the court.

As we are both completely broke, as recovery is realistically not even plausible for Husband, though his financial independence hopefully is, with some structured support and vocational training, leading to a technical certification or license in a progressive field, with vocational opportunities in the area which Husband resides. Continuing with this matter in the court is harmful to all parties, despite Wife's inability to stop injuring herself, and consequentially Husband, since Husband will never be able to focus, with his

handicaps (ADHD, OCPD, GAD, Sleep Disorder) as long as Husband's life is on trial, and due to Husband's financial shortcomings, and Wife's refusal to pay, Husband shall have no choice moving forward except to represent himself.

So at the end of the day, we can either continue as we have here today, for likely the next three years, forcing Husband to put recovery, rehabilitation, and all progress to rebuild his life on hold, until Husband no longer needs to "play lawyer", so that he can focus upon rebuilding some semblance of his life. Husband has serious concerns, about the proceeds from the sale being parked with the court for very long, since Wife's abusive and litigious counsel works right across the street from the courthouse, while Husband will not be in state or able to adequately defend himself.

Furthermore, Husband is absolutely terrified to drive over the Cincinnati bridge, as wife can well testify. (Husband has not driven over that bridge in a decade, and the last time Husband had a serious panic attack, and nearly passed out while driving a U-Haul with Wife.

So Husband's only options are either to take enough Xanax that he can probably drive over the bridge safely, to then need to shortly thereafter find a place to park and sleep it off, or to have someone else who can drive Husband over the bridge, of which Husband knows of no volunteers (mother is now too old for that drive). Therefore, due to these exceptionally complex and harmful consequences for both parties, to continue in court any longer, Husband asks that the court make an exceptional modification to protocol, and provide to Husband and Wife a full and final divorce, here today, upon the grounds of

irreconcilable differences, and determine as fair of a financial settlement between the parties as the court is realistically equipped with the information it has, including the exhibits provided herein. Should the court be willing to grant us a final divorce today, but require more time to review the abundance of documentation provided, which is honestly completely unbiased, and to issue said settlement in the near future, without requiring another court appearance, Husband would be very welcoming to such an outcome as well.

Despite Husband's real need for support in this matter, Husband needs even more to never need to drive back over the Cincinnati bridge, to continue this violent process against each other and our own persons. For reason of mental and physical health, I beg the court to end this once and for all today, to save us all the next three years of our lives, wrestling over breadcrumbs. Husband's requests for a settlement approximately half of what the parties previously discussed, planned, and verbally agreed upon, is outlined below, which Husband respectfully asks the court to consider granting. Should the court decide to grant less to Husband, then Husband shall find no need to object or file further motions, Husband shall gratefully accept whatever the court finds fair. Husband does request that the court not decide upon any judgment which can be modified, altered, or which leaves the door open for future litigation, by either party. Else Husband fears that this case shall perpetually carry on forever, costing both parties more than either party can financially, emotionally, and mentally afford.

Although settlements are typically reached between opposing counsel; due to the abusive manner in which Ms. Story has presented herself throughout her filings in this case,

Husband respectfully requests that the court make an exception here to help protect Husband from needing to sit with Ms. Story and endure her condescending narrative and tone. Instead Husband simply requests that the court make a full and final determination, without any further negotiations or litigation between the parties.

Therefore, should the court not find Husband's request to be in the best interest of both parties, as well as of that of the court, Husband is reasonably certain that he'll never realistically see or benefit from any of the proceeds from the sale of his home. As Wife's counsel and other demands nibble away at it, beyond the practical reach of Husband. Whereby losing his retirement savings, and everything which Husband has earned during his lifetime, which would be one final travesty to end this absolutely toxic divorce.

Yet whatever it must be, so be it. Husband just asks the court for fair and reasonable consideration, and to end this nightmare once and for all. So, Husband can focus on what lies ahead, returning from where he once came, but has been fortunate not to need to leave since reaching adulthood.

Should the court have any questions or need any information, please feel free to ask. Husband can be emailed directly at [REDACTED] A mountain of documentation pertaining to the marriage is available upon your request.

Thank you for accepting this late filing, and earnestly considering the plethora of complex findings contained herein.

WHEREFORE, Husband would respectfully request that:

1. The court order a full and final divorce to Husband and Wife, on the grounds of Irreconcilable Differences. ~~The Order of Protection be made permanent and that Husband be required to pay her attorney's fees for having to bring this Motion.~~

2. That the Temporary Order of Protection be terminated. (Husband is willing to sign a "Hold Harmless" with Wife, which can be styled to include both of our families, our employers, etc... so to protect both parties from either defaming them or publishing anything online about them, for the rest of our lives. Not requiring yearly renewal as with an Order of Protection, and also not injuring Husband's vocational potential, like an Order of Protection.)

3. If for any reason the court is not willing to terminate the Temporary Order of Protection, Husband respectfully requests that it only apply to Davidson and Williamson Counties, and that it not be converted into a full order, so not to affect Husbands employment potential. (Husband's firearms are located in a friend's gun vault in Goodlettsville. Husband needs to be able to legally pick them up in the U-Haul, while driving North toward Michigan, as Husband moves there for the foreseeable future.)

4. That the court divide any proceeds remaining from the sale of the home 50/50; while ordering both parties to continue assuming responsibility for the debts in their respective names. (Whether that be by bankruptcy or however the parties can.) Husband requests that his half of the split be paid directly to his mother, "Marsha A. Fenton" (810) [REDACTED], to help setup a trust for the future needs of Husband, educationally or otherwise. (Provided there is enough money to justify doing so.)

5. That in addition to the 50/50 split requested above, that the court repay Husband's mother, "Marsha A. Fenton" [REDACTED] \$10,000 directly out of Wife's

share of the sale proceeds, prior to paying any other debts, obligations, or creditors, except for the two mortgages. This is to reimburse Husband's mother for the expense of defending Husband against these totally unnecessary litigious claims, without even addressing the divorce yet in a conventional manner. Wife had previously assured Husband that she was finished with her litigious assaults, yet Wife still elected to execute her largest, most unfair, brilliant, but absolutely devastating legal assault upon Husband to date, again, without a moments warning. Husband therefore request the court to order Wife to repay Marsha A. Fenton for her resulting losses.

6. That at least a sum of \$21,000 be paid to Husband's mother, Marsha A. Fenton, to repay Husbunds debts to her, prior to paying off any other debts, obligations or creditors, except as statcd herein.

7. That the court payoff the outstanding balances to Husband's legal counsel \$8,600 to Marty Duke and \$2,579.39 to Schaffer Law Firm, directly out of Wife's share of the sale proceeds, immediately following the repayment of Husband's mother, prior to paying off any other debts, obligations or creditors, except as stated herein.

8. That the court award Husband transitional alimony, which the court automatically deducts from wife's paycheck, in the amount of \$1,000 per month, for a period of four years, and wife be ordered to have her bankruptcy plan modified to compensate for this.

9. If there are any emergencies where Wife cannot legally pay alimony for any reason, that all missed payments be added onto the end of the four years, so that the overall benefit to Husband is not diminished in the end. (With the proposed alimony of \$1,000 per

month for a period of 4 years, that would equal a total alimony to be paid by Wife to Husband, of \$48,000.)

10. That after the full four year term of alimony is paid, by Wife to Husband, after having made up for any months missed throughout, that Wife should owe Husband, no more alimony or support of any kind, ever again, regardless of Husband's health, need or any other circumstances, conditions, or factors.

11. That Wife's employer keep Husband insured, as Mr. Ken Adkisson previously promised until the end of this year, or until Wife is no longer employed with that firm, whichever comes first.

12. That afterwards, Husband be responsible for his own insurance needs, without demand or oversight by this court.

13. That the court would order that neither the Wife, nor her counsel, can further litigate, sue, or harass husband, by means of legal actions or otherwise.

14. That the court order a "do not contact" on both parties for a period of one year, regarding the other.

15. That both parties execute mutual lifetime "hold harmless" agreements, to include protection both to and from their families, employers, and friends, in addition to themselves.

16. The court order the auction date to be extended by a period of three-weeks after the final litigation is entered/heard in this matter, or after a 2-month moratorium is ordered by the court, forbidding anymore legal filings, until Husband has had an opportunity to complete his move to Michigan and get settled. During which time Husband

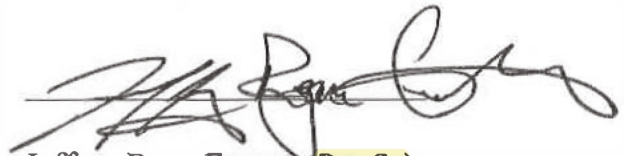
is not to be disturbed by any of the parties in this matter, so that he can focus on packing and realistically have a chance to complete it, on such a short deadline.

17. An Order be entered allowing Wife to sign any necessary listing contracts or agreements to sell the home including closing documents on behalf of she and Husband.

According to the LAW (on the next page), this filing should have been sufficient. It is bad enough that the trial court refused to give my sworn testimony and evidence, filed on court record on 8/29/2019, in what I call my "ONE AND DONE", any consideration whatsoever, but for me to have clearly pointed all this out in the Court of Appeals, proving the fact that I never failed to plead, yet having my life carelessly destroyed by fraudulent "default" judgments, from roughly 600 miles away, while still not being given the benefit of a single word of my own sworn testimony and evidence which had been on court record for over a year, that's simply **unreasonable**.

I spent over a year of my life trying to be heard, while filing over one thousand pages of sworn testimony and evidence on record between the trial and appellate courts, yet "defaults" stand, claiming that I chose not to participate. **That is not reasonable.**

Respectfully submitted,



Jeffrey Ryan Fenton (Pro Se)

1986 Sunnyside Drive
Brentwood, TN 37027

(615) 837-1300

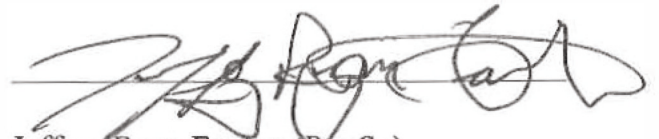
This Motion is expected to be heard on the 29th day of August, 2019 at 9:00 a.m. If no written Response to this Motion is filed and served in a time set by Local Rules of Practice, the Motion may be granted without a hearing.

The appellate court has no legal right to review VOID judgments based upon the alleged merits, because the court was bias, I was never heard and justice never took place.

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was forwarded via email, hand-delivered, and/or first-class mail to Virginia Lee Story, Attorney for Wife, at 136 4th Avenue South, Franklin, TN 37064, on this the 29 day of August, 2019.

I was pro se, technicalities can not matter more than the merits of the case. I operated in good-faith and plead in the interests of justice. I reported the misconduct by Story and Binkley while providing supporting evidence. The court had a responsibility to discipline misconduct, to intervene and help the injured party.



Jeffrey Ryan Fenton (Pro Se)

Defendant Binkley was automatically disqualified for bias and criminal misconduct per Tenn. R. Sup. Ct. 2.11 (A)(1), and 28 U.S.C. § 455 (a)(b)(1), but he refused to lawfully recuse himself, hence the entire docket in #48419B is and has always been irrevocably VOID and must be vacated as a matter of law.

Furthermore per 28 U.S. Code § 1334(e)(1), the Chancery Court had no lawful jurisdiction over the marital residence, because it was part of a federal bankruptcy estate, predating any action in the state courts, while also being "core" to the bankruptcy, giving the federal courts both **original** and **exclusive jurisdiction**. The Chancery Court also lost all lawful jurisdiction to hear and decide any matters in this docket, and thereafter related to my person, because I was unlawfully forced outside the State of Tennessee's jurisdiction by the direct orders of the court, in contravention of T.C.A. § 39-16-507(a)(3), Coercion or Persuasion of Witness.

Society's commitment to institutional justice **requires that judges be solicitous of the rights of persons** who come before the court. **Geiler v. Commission on Judicial Qualifications*, (1973) 10 Cal.3d 270, 286.

“Pro se pleadings are to be considered without regard to technicality; pro se litigants’ pleadings are not to be held to the same high standards of perfection as lawyers.” *Jenkins v. McKeithen*, 395 U.S. 411, 421 (1959); *Picking v. Pennsylvania R. Co.*, 151 Fed 2nd 240; *Pucket v. Cox*, 456 2nd 233 (emphasis added).

“Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants. They should not raise barriers which prevent the achievement of that end. Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment.” *Maty v. Grasselli Chemical Co.*, 303 U.S. 197 (1938) (emphasis added).

“Due to sloth, inattention or desire to seize tactical advantage, lawyers have long engaged in dilatory practices... **the glacial pace of much litigation breeds frustration with the Federal Courts and ultimately, disrespect for the law.**” *Roadway Express v. Pipe*, 447 U.S. 752 at 757 (1982) (emphasis added).

“Following the simple guide of rule 8(f) that **all pleadings shall be so construed as to do substantial justice**” ... “The federal rules reject the approach *that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome* and accept the principle that the purpose of **pleading is to facilitate a proper decision on the merits.**” The court also cited Rule 8(f) [8(e)] FRCP, which holds that all pleadings shall be construed to do substantial justice. *Conley v. Gibson*, 355 U.S. 41 at 48 (1957) (emphasis added).

“Fraud upon the court” has been defined by the 7th Circuit Court of Appeals to “embrace that species of fraud which does, or attempts to, defile the court itself, or is a **fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases** that are presented for adjudication.” *Kenner v. C.I.R.*, 387 F.3d 689 (1968); 7 Moore’s Federal Practice, 2d ed., p. 512, ¶ 60.23. The 7th Circuit further stated “a decision produced by fraud upon the court **is not in essence a decision at all, and never becomes final.**”

“Courts are constituted by authority and they cannot go beyond that power delegated to them. **If they act beyond that authority, and certainly in contravention of it, their judgements and orders are regarded as nullities; they are not voidable, but simply void, and this even prior to reversal.**” *WILLIAMSON v. BERRY*, 8 HOW. 945, 540 12 L. Ed. 1170, 1189 (1850) (emphasis added).

“An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, **as inoperative as though it had never been passed.**” *Norton v. Shelby County*, 118 U.S. 425 p. 442 (emphasis added).

“Where rights secured by the Constitution are involved, **there can be no ‘rule making’ or legislation which would abrogate them.**” *Miranda v. Arizona*, 384 U.S. 426, 491; 86 S. Ct. 1603 (emphasis added).

In 1994, the U.S. Supreme Court held that “**Disqualification is required** if an objective observer would entertain *reasonable* questions about the judge’s impartiality. If a judge’s **attitude or state of mind** leads a detached observer to conclude that a fair and impartial hearing is unlikely, **the judge must be disqualified.**” *Liteky v. U.S.*, 114 S.Ct. 1147, 1162 (1994) (emphasis added).

Courts have repeatedly held that positive proof of the partiality of a judge is not a requirement, **only the appearance of partiality**. *Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847, 108 S.Ct. 2194 (1988) (emphasis added).

That Court also stated that Section 455(a) “**requires a judge to recuse himself** in any proceeding in which her impartiality might **reasonably** be questioned.” *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989) (emphasis added).

The Supreme Court has ruled and has reaffirmed the principle that “**justice must satisfy the appearance of justice**”, *Levine v. United States*, 362 U.S. 610, 80 S.Ct. 1038 (1960), citing *Offutt v. United States*, 348 U.S. 11, 14, 75 S.Ct. 11, 13 (1954).

“Recusal under Section 455 is self-executing; a party need not file affidavits in support of recusal and **the judge is obligated to recuse herself sua sponte** under the stated circumstances.” *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989) (emphasis added).

Should a judge not disqualify himself, **then the judge is violation of the Due Process Clause of the U.S. Constitution**. *United States v. Sciuto*, 521 F.2d 842, 845 (7th Cir. 1996) (“The right to a tribunal free from bias or prejudice is based, not on section 144, but on the Due Process Clause.”) (emphasis added).

This cannot be ignored its fact recorded! Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, **or acted in a manner inconsistent with due process**, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A., U.S.C.A. *Const. Amend. 5 - Klugh v. U.S.*, 620 F.Supp. 892 (D.S.C. 1985) (emphasis added).

When appeal is taken from a void judgment, the appellate court must declare the judgment void, because the appellate court **may not address the merits**, *it must set aside the trial court's judgment and dismiss the appeal*. A void judgment may be attacked at any time by a person whose rights are affected. See *El-Kareh v. Texas Alcoholic Beverage Comm'n*, 874 S.W.2d 192, 194 (Tex. App.-Houston [14th Dist.] 1994, no writ); see also *Evans v. C. Woods, Inc.*, No. 12-99-00153-CV, 1999 WL 787399, at *1 (Tex. App.-Tyler Aug. 30, 1999, no pet. h.) (emphasis added).

The Court Has a Responsibility to Correct a Void Judgment: The statute of limitations **does not apply** to a suit in equity to vacate a void judgment. (*Cadenasso v. Bank of Italy*, p. 569; *Estate of Pusey*, 180 Cal. 368,374 [181 P. 648].) This rule holds as to all void judgments. In the other two cases cited, *People v. Massengale* and *In re Sandel*, the courts confirmed the judicial power and responsibility to correct void judgments (emphasis added).

A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. A void judgment which includes judgment entered by a court which lacks jurisdiction over the parties or the subject matter, or lacks inherent power to enter the particular judgment, **or an order procured by fraud**, can be attacked at any time, in any court, either directly or collaterally, provided that the party is properly before the court. See *Long v. Shorebank Development Corp.*, 182 F.3d 548 (C.A. 7 Ill. 1999) (emphasis added).

When rule providing for relief from void judgments is applicable, **relief is not discretionary matter, but is mandatory.** *Omer. V. Shalala*, 30 F.3d 1307 (Colo. 1994) (emphasis added).

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE

FILED

11/19/2020

Clerk of the
Appellate Courts

FAWN ██████████ FENTON v. JEFFREY RYAN FENTON

Chancery Court for Williamson County
No. 48419B

No. M2019-02059-COA-R3-CV

ORDER

The record on appeal was filed on June 15, 2020. Under Tenn. R. App. P. 29(a), the appellant's brief was originally due on July 15, 2020. On July 10, 2020, this Court granted the appellant an extension of time within which to file his brief through September 15, 2020. On September 15, 2020, this Court granted the appellant an additional extension of time through October 15, 2020, but admonished the appellant that no further extensions would be granted absent a showing of exigent circumstances. Rather than file a brief, the appellant filed a motion on October 16, 2020, requesting yet another, indefinite extension of time.

On October 27, 2020, this Court granted the appellant "one final opportunity to file a brief" and directed the appellant to file a brief on or before November 9, 2020. Our order provided that failure to file a brief by November 9, 2020, could result in dismissal of the appeal without further notice. As of the date of this order, the appellant has still not filed a brief.

It is, therefore, ordered that this appeal is dismissed. The appellant is taxed with the costs for which execution may issue.

PER CURIAM

I never requested an "indefinite extension of time". That statement is false.

I had been trying for months to get the Court of Appeals to supplement and correct my record to **show the truth** about what took place in the trial court, but they refused. I tried for almost a year to get either the trial court or the appellate court to record my 8/29/2019 "transcript of evidence" as such, since the trial court chose instead to bury the transcript amongst hundreds of pages of my "technical record" (in volume 4, pages 495-523), to hide it. The court doesn't want the document to stand out because it shows an absurd level of criminal misconduct by both Binkley and Story, where clearly "justice does not satisfy the appearance of justice". If you compare the 8/1/2019 & 8/29/2019 transcripts, **they are not congruent**.

I told the Court of Appeals that I DID NOT KNOW HOW TO WRITE AN "APPELLANT BRIEF" due to the overwhelming amount of FRAUD in the case by defendant Story. The case wasn't about an "issue of law" which I was contesting, but rather the fact that NOTHING done by the trial court was lawful, legal, in good faith, for the purpose of justice, in compliance with the State of Tennessee's rules of judicial & professional conduct.

Since the Court of Appeals refused to allow me any alternative other than writing an "Appellant Brief", to receive help, I told them I would try, but ultimately I was unsuccessful, after struggling with it for months, for the exact reasons which I had told them. Upon failure, I immediately tried to assemble booklets which I believed SHOWED (relative to a timeline) what I was unable to ARTICULATE or WRITE in a comprehensive way. I later referred to these booklets, as my "**testimony in evidence**". Showing the absurdity of what the courts and counsel had done to me, which has been beyond my skill level to articulate in both a believable and non-offensive manner. Using heavy markup on court documents throughout the case, to **tell the truth in-line** with the fraudulent narrative of the court and counsel. Due to the abundance of fraud and the influence of the parties against me, my burden of proof has been outrageous. I've proven misconduct repeatedly, yet the court rejected my efforts and dismissed my appeal.

**IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE**

FILED
04/07/2021
Clerk of the
Appellate Courts

FAWN ██████████ FENTON v. JEFFREY RYAN FENTON

**Chancery Court for Williamson County
No. 48419B**

No. M2019-02059-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Jeffrey Ryan Fenton and the record before us, the application is denied.

PER CURIAM

Jeff Fenton

From: Jeff Fenton
Sent: Wednesday, October 28, 2020 6:42 AM
To: appellatecourtclerk
Cc: Lisa Marsh
Subject: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 1 of 2
Attachments: 2020-10-28 Motion to Supplement and Correct the Record.pdf; PAGES 174-181 (TR v2) HUSBAND'S RESPONSE & COUNTERMOTION (PROOF contents include DIVORCE ANSWER AND COUNTER).pdf; 2020-07-08 ADA Request for Modification due to Mental Health (Under Tennessee Judicial Branch Policy 2_07).pdf; 2019-08-05 Duke & Story Agreed to Extension for Husbands Answer and Counter-Complaint.pdf; 2019-08-29 EXHIBIT-B to HUSBAND'S RESPONSE and COUNTER MOTION (SUPPLEMENT PLEASE).pdf

Hello Mr. Hivner,

Please file the attached motion. (EMAIL 1 of 2)

I have one more email with some attachments following.

Thank you sir!

Jeff Fenton

17195 Silver Parkway # 150
Fenton, MI 48430-3426
Phone: (615) 837-1300

Relayed: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV |
MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 1 of 2

Microsoft Outlook <postmaster@outlook.com>

Wed 10/28/2020 6:42 AM

To: appellatecourtclerk <appellatecourtclerk@tncourts.gov>; Lisa Marsh <Lisa.Marsh@tncourts.gov>

 1 attachments (26 KB)

URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD
(Please File) Email 1 of 2;

**Delivery to these recipients or groups is complete, but no delivery notification was sent
by the destination server:**

[appellatecourtclerk \(appellatecourtclerk@tncourts.gov\)](mailto:appellatecourtclerk@tncourts.gov)

[Lisa Marsh \(Lisa.Marsh@tncourts.gov\)](mailto:Lisa.Marsh@tncourts.gov)

Subject: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT &
CORRECT THE RECORD (Please File) Email 1 of 2

Jeff Fenton

From: Jeff Fenton
Sent: Wednesday, October 28, 2020 8:51 AM
To: appellatecourtclerk
Cc: Lisa Marsh
Subject: RE: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 2 of 2

Attachments: PAGE 178 (TR v2) REQUEST to CORRECT Typographical Error (STRIKE ERROR PLEASE).pdf; PAGE 119 (TR v1) HUSBAND's RESPONSE & COUNTERMOTION - PAGE-1 (ORIGINAL - AS FILED and RECORDED).pdf; PAGE 119 (REQUESTED) HUSBAND'S RESPONSE & COUNTERMOTION-PAGE-1 (CORRECT TITLE PLEASE TO MATCH CONTENT).pdf; Sandy Arons - Divorce Planning (Business Card).pdf; 2019-07-25 Brittany Gates - Termination of Services - Failed to Perform (URGENT DEADLINES).pdf; 2019-08-02 Schaffer Law Firm - Six Grand More Due Immediately to Continue Counsel.pdf; Custom No Trespassing Signs.pdf; FAWN Refused to Honor our Agreement to Sell our Home NOT Me.pdf; 2020-02-17 1986 Sunnyside Drive (Resale After \$20k Flip).pdf; 2019-08-28 (A) Pro Se Notice to Court (Husband Filed 8-29-2019).pdf; 2019-09-19 Ms Story - Letter Threatening to Sell and Dispose of MY Personal Property (opposite of promised under oath in court).pdf; 2019-01-21 Fawn Talks about Night Sweats and Narcolepsy Meds Problem (Only Seeping 1-Hour at a Time).pdf; 2016-05-25 Fawn - Why You Didn't Know Your Friend has Depression.pdf; 2018-10-27 @ 1731 (Email F-J) Fawn Outlining her Understanding and Consent to our Verbal Settlement Agreement.pdf; 2018-12-24 Fawn - Text Messages - Planning Counseling with Terry.pdf

Hello Mr. Hivner,

Please file the attached motion. (EMAIL 2 of 2)

This combined with the previous email, is everything.

Thank you sir!

Jeff Fenton

17195 Silver Parkway # 150

Fenton, MI 48430-3426

Phone: (615) 837-1300

Relayed: RE: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV |
MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 2 of 2

Microsoft Outlook <postmaster@outlook.com>

Wed 10/28/2020 8:51 AM

To: appellatecourtclerk <appellatecourtclerk@tncourts.gov>; Lisa Marsh <Lisa.Marsh@tncourts.gov>

 1 attachments (25 KB)

RE: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD
(Please File) Email 2 of 2;

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[Lisa Marsh \(Lisa.Marsh@tncourts.gov\)](mailto:Lisa.Marsh@tncourts.gov)

Subject: RE: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT &
CORRECT THE RECORD (Please File) Email 2 of 2

Jeff Fenton

From: Jeff Fenton
Sent: Wednesday, October 28, 2020 9:13 AM
To: Virginia Story; Kathryn Yarbrough; Heidi Macy
Cc: elaine.beeler@tncourts.gov; Lisa Marsh
Subject: FW: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 1 of 2
Attachments: 2020-10-28 Motion to Supplement and Correct the Record.pdf; PAGES 174-181 (TR v2) HUSBAND'S RESPONSE & COUNTERMOTION (PROOF contents include DIVORCE ANSWER AND COUNTER).pdf; 2019-08-05 Duke & Story Agreed to Extension for Husbands Answer and Counter-Complaint.pdf; 2019-08-29 EXHIBIT-B to HUSBAND'S RESPONSE and COUNTER MOTION (SUPPLEMENT PLEASE).pdf

Hello Ms. Story and Ms. Beeler,

Attached is a motion I just filed this morning, requesting to supplement an Exhibit I didn't have time to bring on 8/29/2019, though it was already completely printed out. I just couldn't get it sorted, bound, and out the door in time. It also requests a couple of minor corrections to my "one and done" on 8/29/2019 aka "HUSBAND'S RESPONSE AND COUNTERMOTION TO WIFE'S MOTION FOR VIOLATION OF THE EX PARTE ORDER OF PROTECTION AND FOR DATE CERTAIN FOR WALK THROUGH OF HOUSE AND MOTION FOR SCHEDULING ORDER"

"One and Done" is a little shorter and succinct. I know that "succinct" isn't my best quality, but I think that I got it right this time. 😊

Please let me know if you have any questions or concerns.

Jeff Fenton

17195 Silver Parkway # 150
Fenton, MI 48430-3426

Phone: (615) 837-1300

From: Jeff Fenton
Sent: Wednesday, October 28, 2020 6:42 AM
To: appellatecourtclerk <appellatecourtclerk@tncourts.gov>
Cc: Lisa Marsh <Lisa.Marsh@tncourts.gov>
Subject: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 1 of 2
Importance: High

Hello Mr. Hivner,

Please file the attached motion. (EMAIL 1 of 2)

Delivered: FW: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 1 of 2

postmaster@tnlaw.org <postmaster@tnlaw.org>

Wed 10/28/2020 9:14 AM

To: Virginia Story <virginia@tnlaw.org>

 1 attachments (52 KB)

FW: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 1 of 2;

Your message has been delivered to the following recipients:

[Virginia Story \(virginia@tnlaw.org\)](mailto:virginia@tnlaw.org)

Subject: FW: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 1 of 2

Delivered: FW: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 1 of 2

postmaster@tnlaw.org <postmaster@tnlaw.org>

Wed 10/28/2020 9:14 AM

To: Kathryn Yarbrough <kyarbrough@tnlaw.org>

 1 attachments (51 KB)

FW: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 1 of 2;

Your message has been delivered to the following recipients:

[Kathryn Yarbrough \(kyarbrough@tnlaw.org\)](mailto:kyarbrough@tnlaw.org)

Subject: FW: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 1 of 2

Relayed: FW: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV |
MOTION TO SUPPLEMENT & CORRECT THE RECORD (Please File) Email 1 of 2

Microsoft Outlook <postmaster@outlook.com>

Wed 10/28/2020 9:14 AM

To: elaine.beeler@tncourts.gov <elaine.beeler@tncourts.gov>; Lisa Marsh <Lisa.Marsh@tncourts.gov>

 1 attachments (28 KB)

FW: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT & CORRECT THE RECORD
(Please File) Email 1 of 2;

**Delivery to these recipients or groups is complete, but no delivery notification was sent
by the destination server:**

elaine.beeler@tncourts.gov (elaine.beeler@tncourts.gov)

[Lisa Marsh](mailto:Lisa.Marsh@tncourts.gov) (Lisa.Marsh@tncourts.gov)

Subject: FW: URGENT PLEASE: Fenton v. Fenton | COA #M2019-02059-COA-R3-CV | MOTION TO SUPPLEMENT &
CORRECT THE RECORD (Please File) Email 1 of 2



ORIGINAL

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE

FILED
OCT 30 2020
Clerk of the Appellate Courts
Rec'd By _____

FAWN [REDACTED] FENTON)
Appellee,)
v.)
JEFFREY RYAN FENTON)
Appellant.)

02059
No. M2019-0259-COA-R3-CV
Trial Court No. 48419B

APPELLEE’S RESPONSE TO APPELLANT’S MOTION TO SUPPLEMENT AND
CORRECT THE RECORD

COMES NOW Appellee, Fawn [REDACTED] Fenton (“Appellee”), by and through counsel, and hereby submits this Response to Appellant, Jeffrey Ryan Fenton’s (“Appellant”) Motion to Supplement and Correct the Record.

SUMMARY OF THE FACTS

Appellant filed a Notice of Appeal on November 20, 2020. Appellant failed to follow proper procedure and did not file a Statement of Evidence or Transcripts of the Proceedings and a Notice of Failure to Comply with Rule 24(b),(c) or (d) Administrative Order was entered by this Court on February 3, 2020 giving Appellant fifteen (15) days to comply. Thereafter, Appellee filed a Motion to Dismiss based on failure to comply with the Tennessee Rules of Appellate Procedure on February 5, 2020. On February 18, 2020, Appellant filed a 52-page Response to the Notice of Failure to Comply with 27 exhibits and filed the transcripts from a hearing held on August 1, 2019. On February 24, 2020, this Court issued an Order denying Appellee’s Motion to Dismiss and giving Appellee an extension to February 25, 2020, to file the transcript with the Court. The technical record was sent by the Chancery Court on March 31, 2020 and was filed with this Court on June 15, 2020. Appellant’s brief was due on July 15, 2020. On July 9, 2020,

Appellant filed a Motion for an Extension to file his brief which this Court granted by Order of July 10, 2020. Appellant was given until September 15, 2020 to file his brief. Thereafter, on September 11, 2020, Appellant filed a Motion for a SECOND Extension, requesting an additional 122 days to file his brief. On September 15, 2020, the Court granted Appellant an extension to October 15, 2020, to file his brief, noting that no other extensions would be allowed pending exigent circumstances. On October 16, 2020 Appellant once again requested an extension and was granted his third extension by Order of October 27, 2020 requiring his brief to be filed on November 9, 2020. Appellant has now come to this Court with a request to supplement and correct the record.

ARGUMENT

Appellants Motion and request to supplement the record is improper as it lists numerous documents that were never considered by the trial court in this matter and therefore cannot now be made a part of the record after the matter has concluded. Additionally, many of the documents listed in the Exhibit list were not provided to the trial court for filing and thus the trial court has no way of including said documents in the record on appeal. These documents were never presented to the trial court and therefore the trial court had no means by which to even include many of these documents in the record. Documents that are not provided to the trial court or considered by the trial judge are precluded from being included in the appellate record pursuant to Tenn. R. App. P. 24.

Moreover, Appellant's most recent filing is yet another regurgitation of the same allegations of being disadvantaged as a pro se party and grievances with the trial court. This most recent filing is eighteen (18) pages long with eighteen (18) attachments or "exhibits." Appellant clearly has time to put forth drafting and filing numerous lengthy documents to request additional time to file his brief, but someone cannot find the time to get his actual brief completed and filed

in a timely manner. This is yet another attempt by the Appellant to prolong this litigation and run up fees for Appellee.

CONCLUSION

Based upon the foregoing, the Motion filed by the Appellant should be DENIED with costs taxed to the Appellant and Appellee awarded her attorney's fees.

Respectfully submitted,



Virginia L. Story; BPR #11700
Kathryn L. Yarbrough; BPR #32789
Attorneys for [REDACTED] Fawn Fenton
136 Fourth Avenue, South
P.O. Box 1608
Franklin, TN 37064
(615) 790-1778
virginia@tnlaw.org
kyarbrough@tnlaw.org

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was forwarded via first-class mail to Jeffrey Fenton, Appellant, at 17195 Silver Pkwy. #150, Fenton, MI 48430, on this the 30th day of October 2020.



VIRGINIA LEE STORY