

# UNOFFICIAL COPY

IN THE CIRCUIT COURT OF  
COOK COUNTY ILLINOIS



Doc#: 1226313041 Fee: \$54.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 09/19/2012 02:12 PM Pg: 1 of 9

BAYVIEW LOAN SERVICING,  
LLC A DELAWARE LIMITED  
LIABILITY COMPANY

HEAVNER, SCOTT, BEYERS )  
MIHLAR, LLC )  
 )  
STAR RESOURCES, LLC )  
 )  
CHICO & NUNES, P.C. )

Case No. 11 CH 01586

v

Linda Ann Ford and Clinton Eugene Ford  
American National Status as Recorded  
in the Court of Records "Act of State"  
Internationally  
c/o 2215 Saint Charles Road,  
Bellwood, Illinois [60104-9998]  
Non domestic, w/o the U.S.

**NOTICE TO AGENTS IS NOTICE TO PRINCIPALS NOTICE TO PRINCIPALS IS  
NOTICE TO AGENTS ALL ARE WITHOUT EXCUSE**

## MOTION TO DISMISS WITH PREJUDICE

**COMES NOW** Linda Ann Ford and Clinton Eugene Ford, living breathing, natural born, a free woman and man on the soil, Sovereign American Citizens, *sui juris*, defendants in error, with all and claiming all of their unlimited, inherent, unalienable, God given rights protected and secured by and through the Federal Constitution and the Constitution of the State of Illinois, and with their names lawfully and properly spelled only in upper and lower case letters, who have challenged the jurisdiction of this court, hereby respectfully move this Honorable Court to grant them relief from judgment in this matter because of the following truthful, valid and lawful reasons in support thereof, which includes, but are not limited to the following:

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1. The Plaintiffs, BAYVIEW LOAN SERVICING, LLC; HEAVNER, SCOTT, BEYERS MIHLAR, LLC; STAR RESOURCES, LLC and CHICO & NUNES, P.C. (hereafter The Plaintiffs) have failed to produce any valid response to show any legal standing, contract or consideration in this matter (see attached NOTICE AND DEMAND TO VALIDATE DEBT CLAIM letters) within Thirty (30) days.
2. The Plaintiffs' complaint is deceptive, fraudulent and a sham pleading. The Plaintiffs filed and unlawfully served its complaint with no legal standing, proof of its claims, and that they were the "*Real Party In Interest*". The Plaintiffs attached to its complaint as proof of its interest and standing an alleged Mortgage with a distinctly different and separate entity, namely Silver Hill Financial, LLC (see attached COMPLAINT FOR FORECLOSURE - item (D)). The plaintiffs in reality had no evidence at the time of filing that it had any lawful interest in the Defendant's property and alleged mortgage and or note.
3. The Plaintiff knew or should have known that the allegations in this complaint were materially false as Illinois law and Illinois Rules of Procedures mandate that all such contracts, notes, mortgages and other document supporting the claims of the complaint, are required to be attached and thus part of the whole of the complaint as proof of valid evidence.
4. The Plaintiffs are committing fraud upon the court and withholding exculpatory evidence by bringing a fictitious claim and not performing their due diligence.
5. The original servicing company was Silver Hill Financial LLC. It appears that both of the attached Allonge To Note pages are clear cut evidence that the alleged mortgage debt was satisfied at the closing table (see attached). Consequently, all Plaintiffs have committed fraud upon the court. Subsequently, the complete case is void and Fruit of the Poison Tree.

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All alleged Plaintiff have failed to prove on the record that any notarized and valid contract or corporate resolution binding alleged Plaintiffs, describing the specific lawfully granted scope, authorities, responsibilities, priviledges, and any immunities hereto. (See Rudle v. DELAWARE & RARITAN CANAL COMPANY, 55, U.S.80, 'A CORPORATION cannot due or otherwife content with a living natural man or woman."

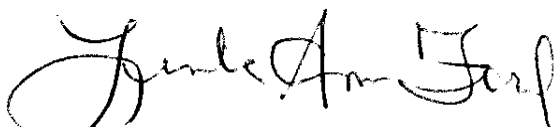
Jurisdiction in this matter has been challenged on the record and has not been proven which is a necessary requirement of due process of law. A Court "*confer jurisdiction where none existed and cannot make a void proceeding valid,*" Gowdy v Baltimore and Ohio R.R. Company.: 385 Ill. 86, 92, 52, N.E. 2d 255 (1943).

Attached to this MOTION TO DISMISS WITH PREJUDICE:

1. Judge Laura Cha-Yu Liu's Oath of Office
2. COMPLAINT FOR FORECLOSURE - showing Bayview Loan Servicing, LLC a Delaware Limited Liability Company as Plaintiff and in 3 (D) naming Silver Hill Financial, LLC, a Delaware Limited Liability Company as the Mortgagee at time of filing
3. ALLONGE TO NOTE - Showing that the alleged debt was paid November, 2006 showing alleged debt was satisfied at closing
4. ALLONGE TO NOTE - Showing that the alleged debt was paid November 30, 2006 showing debt was twice satisfied at closing

Respectfully submitted,

All Rights Reserved



Linda Ann Ford

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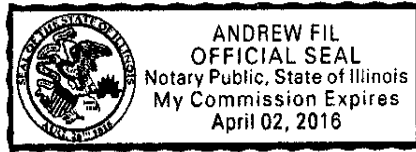
## MOTION TO DISMISS WITH PREJUDICE

### JURAT

State of Illinois

Cook County

Scribed and sworn before me, a Notary Public, the above signed Linda Ann Ford,  
this 18<sup>th</sup> day of September, 2012



Andrew Fil

(seal)

Notary Public

My Commission Expires April 02, 2016

Property of Cook County Clerk's Office

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State of Illinois  
Executive Department

## CERTIFICATE

To All To Whom These Presents Shall Come, Greeting:

I, JESSE WHITE, Secretary of State of the State of Illinois, do hereby certify that the attached is a true copy of the Oath of Office of Laura Cha-yu Ldu, Circuit Judge for the Cook Judicial Circuit of the State of Illinois, as filed in this office on December 27, 2010.

IN TESTIMONY WHEREOF, I hereto set  
my hand and cause to be affixed the  
Great Seal of the State of Illinois.  
Done at the City of Springfield, May  
30, 2012.



*Jesse White*

SECRETARY OF STATE

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# Oath of Office

## Circuit Court ♦ State of Illinois



**FILED**  
INDEX DEPARTMENT

DEC 27 2010

IN THE OFFICE OF  
SECRETARY OF STATE

I, *Laura Cha-yu Liu*, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of Circuit Judge for the Cook Judicial Circuit of the State of Illinois, according to the best of my ability.

*Laura Cha-yu Liu*  
\_\_\_\_\_  
Laura Cha-yu Liu

Upon receipt of executed Oath of Office, the Declarant to be placed on the payroll of the Judicial Branch of Illinois the 17th day of December, 2010.

*Cynthia Y. Cobbs*  
\_\_\_\_\_  
Cynthia Y. Cobbs  
Director  
Administrative Office of the Illinois Courts

The undersigned, being duly authorized to administer oaths, certifies that the foregoing oath of office was administered to the Declarant on this 17th day of December 2010.

*Charles E. Freeman*  
\_\_\_\_\_  
Charles E. Freeman  
Justice  
Supreme Court of Illinois

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## IN THE CIRCUIT COURT OF THE COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, CHANCERY DIVISION

BAYVIEW LOAN SERVICING, LLC, a Delaware Limited Liability Company,

Plaintiff,  
vs.

LINDA FORD, CLINTON FORD, WELLS FARGO FINANCIAL ILLINOIS, INC. and CAPITAL ONE BANK (USA) N.A. fka CAPITAL ONE BANK

Defendants.

Case No. CH01586

**FILED**  
CH-2608  
JAN 13 2011  
DOROTHY BROWN  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY, IL

### COMPLAINT FOR FORECLOSURE

1. Plaintiff, Bayview Loan Servicing, LLC, a Delaware Limited Liability Company files this Complaint to fore-close the Mortgage hereinafter described and joins the following persons as Defendants: Linda Ford, Clinton Ford, Wells Fargo Financial Illinois, Inc. and Capital One Bank (USA) N.A. fka Capital One Bank.

2. Attached as Exhibit A is a copy of said Mortgage (with loan numbers redacted) and as Exhibit B is a copy of the Note (with loan numbers redacted) secured thereby.

3. Information concerning Mortgage:

(A) Nature of Instrument: Mortgage.

(B) Date of Mortgage: November 30, 2006.

(C) Names of Mortgagors: Linda Ford and Clinton Ford.

(D) Name of Mortgagee: Silver Hill Financial, LLC, a Delaware Limited Liability Company.

(E) Date and Place of Recording: December 22, 2006 in the Recorder's Office of Cook County, Illinois.

(F) Identification of Recording: Document No. 0635654058.

(G) Interest subject to the Mortgage: Fee Simple.

(H) Amount of original indebtedness, including subsequent advances made under the mortgage: \$300,000.00.

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## ALLONGE TO NOTE

FOR PURPOSES OF FURTHER ENDORSEMENT OF THE NOTE  
REFERRED TO BELOW:

BORROWER: Linda Ford and Clinton Ford, as husband and wife

LENDER: Silver Hill Financial, LLC, a Delaware limited liability company

DATED: November \_\_, 2006

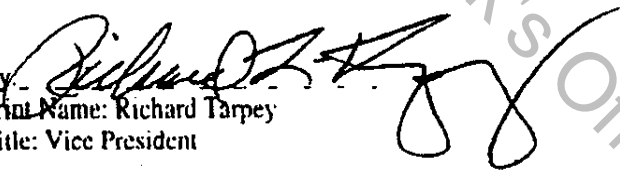
ORIGINAL PRINCIPAL BALANCE: \$300,000.00

PAY TO THE ORDER OF:

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-----  
-----

WITHOUT RECOURSE:

Silver Hill Financial, LLC, a Delaware limited liability company

By:   
 Print Name: Richard Tarpey  
 Title: Vice President



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## ALLONGE TO NOTE

FOR PURPOSES OF FURTHER ENDORSEMENT OF THE NOTE  
REFERRED TO BELOW:

BORROWER: Linda Ford and Clinton Ford, as husband and wife

LENDER Silver Hill Financial, LLC, a Delaware limited liability company

DATED: November 30, 2006

ORIGINAL PRINCIPAL BALANCE: \$300,000.00

PAY TO THE ORDER OF:

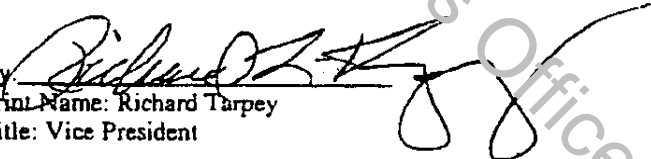
\_\_\_\_\_

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\_\_\_\_\_

WITHOUT RECOURSE

Silver Hill Financial, LLC, a Delaware limited liability company

By   
 Print Name: Richard Tarpey  
 Title: Vice President