

1 MARY CUMMINS
2 Defendant
3 645 W. 9th St. #110-140
4 Los Angeles, CA 90015
5 In Pro Per
6 Telephone: (310) 877-4770
7 Email: mmmaryinla@aol.com

8 CALIFORNIA COURT OF APPEALS
9 SECOND DISTRICT COURT; DIVISION EIGHT

9 **MARY CUMMINS**
10 Appellant

11 v.

12 **AMANDA LOLLAR, BAT WORLD**
13 **SANCTUARY**
14 Respondents

) Case No. B258027

)
) **APPELLANT'S REPLY TO**
) **RESPONDENTS' MOTION TO**
) **QUASH**

) **DECLARATION OF MARY**
) **CUMMINS IN SUPPORT**
) **THEREOF**

) **Superior Court Case No: BS140207**
)
)
)

17
18 Petitioner Cummins served Cummins' Opening Brief upon Respondent's attorney
19 David Watts via USPS to his current address as per the California Bar Association
20 (Declaration Cummins). Petitioner served the document again via UPS over night to
21 Watts' current USPS address. Petitioner also served it via email to Watts' current and
22 past email addresses i.e. dawidw@dwatts.net and dwatts@dmartinlaw.com. Petitioner
23 followed up with more emails and left a recorded voice mail. Respondents were served
24 Petitioner's Opening Brief.

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1 Petitioner then called and left a voice mail for David Watts asking if he received
2 the brief. Petitioner previously advised Watts she would record the voice mail and any
3 conversation so there will be proof for the court. Petitioner does not know how to
4 attach an audio file so a copy of the voice mail is here [http://www.marycummins.com/
5 david_watts_phone_call.wma](http://www.marycummins.com/david_watts_phone_call.wma).

6 Petitioner has served every document in this case and all have been received
7 except supposedly Petitioner's opening brief. There is absolutely no reason why
8 Petitioner would not serve Respondent with the brief as it only cost \$1.42 to mail with
9 stamps.

10 Previously Respondents' attorney Watts did not renew his domain name which
11 caused his email to go down. Another time Watts blocked Petitioner's emails and
12 Petitioner had to send from another account. At the top of Watt's Motion he misspells
13 his own email address as davidw@dwatts.net.

14 Petitioner sent an email requesting a settled statement. Petitioner also left phone
15 messages about a settled statement. Respondent's attorney Watts refused to reply.

16 **C. CONCLUSION**

17 The pattern is clear. Petitioner has filed and served every single document
18 properly in this case on the Respondent and Court. Respondent and Court received all
19 previous documents and service. Petitioner believes Respondent files this Motion to
20 Quash merely to delay or try to dismiss this case as Watts has never filed or replied to
21 an Appeal's case ever before as per Pacer.

22 Petitioner requests this Court deny Respondents' Motion to Quash Petitioner's
23 Opening Brief. Watts stated in his reply he would agree to a settled statement.
24 Petitioner requests leave to file a settled statement with Respondent.

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1 Such other relief as the Court may deem just and proper.

2 Respectfully submitted,

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Mary Cummins, Defendant

5 Dated: July 7, 2015

6 645 W. 9th St. #110-140

7 Los Angeles, CA 90015

8 In Pro Per

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From: David Watts <davidw@dwatts.net>
Subject: **Re: Appeal**
Date: June 29, 2015 7:09:15 PM PDT
To: Mary Cummins <mmmaryinla@aol.com>
▶ 1 Attachment, 5.4 KB

I have received these in the past few days. None of the others though. I will respond to your letter tomorrow.

David C. Watts
Law Office of David C. Watts
David C. Watts Real Estate
1260 Lake Blvd. #218
Davis, CA 95616

On Jun 29, 2015 5:07 PM, "Mary Cummins" <mmmaryinla@aol.com> wrote:

Did you get any of my emails, faxes or phone messages? I'm still ready to sign a joint settled statement. I would not oppose an extension for your reply brief of 60 days. I checked my phone, fax, email.....and no reply from you. This is what always happened before. I now remember that one time your domain name expired so I had to call you.

On Jun 27, 2015, at 3:04 PM, David Watts wrote:

Ms. Cummins,

Please see attached letter. If you have any questions please feel free to contact me.

--

David C. Watts
Law Office of David C. Watts
David C. Watts Real Estate
1260 Lake Blvd. #218
Davis, CA 95616
(530) 400-1782
davidw@dwatts.net
<Letter Cummins 6-27-15.pdf>

Mary Cummins
MMMARYinLA@AOL.COM



Mary Cummins
645 W 9th St #110-140
Los Angeles, CA 90015
mmmaryinla@aol.com
Direct (310) 877 4770
Fax (310) 494 9395

June 28, 2015

As per telefax: (916) 381-4070, (530) 400-1782
As per email: dwatts@dmartinlaw.com, davidw@dwatts.net
David C. Watts
Law Office of David C. Watts
David C. Watts Real Estate
1260 Lake Blvd. #218
Davis, CA 95616

Re: Appeal: Cummins v Lollar et al

Mr. Watts:

I just received your email/letter dated June 27, 2015. I am replying by fax and email so I have an independent copy of this transmission. I emailed you a few times and you did not reply. I will dig up those emails.

I sent the brief to the appeals court via over night from my p.o. box which is a UPS center. I have the receipt here and will send it to you when I find it. I sent all the rest regular mail in a letter sized manilla envelope with Forever stamps from the same place at the same time because I could not afford to send them all with a paid service. I sent it to your new work address in the California Bar Association directory. I did not send it to the address above as that was not your current address as per the Bar.

If you are willing to submit a settled statement with me, then let's do that. If you need more time to file your reply brief, I would not oppose an extension so we can submit a settled statement and you can file your reply. Feel free to file a motion for 60 day extension.

My appeal was not necessary. You sent a subpoena for all bank records when you know (1) it will not lead to anything discoverable as I am penniless and (2) your true goal was for your client to use the data to harass, oppress my family, friends and clients from that time. You know your client has abused discovery items yet you continue to aid and abet her in criminal abuse of discovery items.

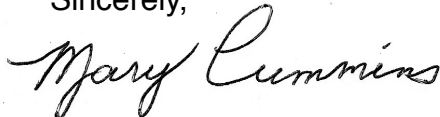
If you agreed to a limited response on the subpoena for only my data and a protective order on all of it, this appeal could have again been avoided. You refused to do this in Superior Court. YOU are the reason I had to appeal. I'm sure you are doing this as you realize your client's evil desire to "destroy" me as she has posted online will give you a steady income.

Your client has repeatedly violated court orders and the law. She used and posted things covered by a protective order such as my social security number, medical records and old home address to harass me and try to "destroy" me. She has used my SSN which she obtained illegally to try to break into my bank account and the bank account of others. You have a copy of the bank letters, emails and police report. **You are knowingly aiding and abetting a criminal.** I'm positive if she were to get all bank details from all my family, friends and clients she would do the same to them. People tried to get car and home loans using my SSN and other data immediately after your client illegally obtained my SSN. If I weren't penniless for other reasons, I would be now because of your client's behavior. Your client even posted the full check with all data of my ex attorney online. It's still online only missing his checking account number.

If you want to show the court that you are obeying the laws and court rules, please, agree to a settled statement with me. I will not oppose any extension to file your reply brief, not as if it would matter anyway. Thanks.

p.s. I just tried to look up your fax number. Your direct phone, fax number and even email address have changed many times since this case started three years ago. I will call you on the phone to make sure you received this if I do not get a reply back.

Sincerely,

A handwritten signature in cursive script that reads "Mary Cummins". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Mary Cummins



July 7,2015

Dear Customer:

The following is the proof-of-delivery for tracking number **780914101588**.

Delivery Information:

Status:	Delivered	Delivered to:	Receptionist/Front Desk
Signed for by:	V.VORONICA	Delivery location:	Sacramento, CA
Service type:	FedEx Priority Overnight	Delivery date:	Jul 2, 2015 09:07
Special Handling:	Deliver Weekday		
	Direct Signature Required		

Signature image is available. In order to view image and detailed information, the shipper or payor account number of the shipment must be provided.

Shipping Information:

Tracking number:	780914101588	Ship date:	Jul 1, 2015
		Weight:	0.5 lbs/0.2 kg

Recipient:
Sacramento, CA US

Shipper:
Los angeles, CA US

Thank you for choosing FedEx.

EXHIBIT 3

1 PROOF OF SERVICE BY MAIL
2 (FRCivP 5 (b)) or
3 (CCP 1013a, 2015.5) or
4 (FRAP 25 (d))

5 I am Plaintiff in pro per whose address is 645 W. 9th St. #110-140, Los Angeles,
6 California 90015-1640. I am over the age of eighteen years. I further declare that
7 on the date hereof I served a copy of:

8 **PETITIONER'S REPLY TO RESPONDENTS' MOTION TO QUASH**

9 on the following parties by placing a true copy thereof enclosed in a sealed envelope
10 addressed as follows for collection and mailing at 645 W. 9th St. #110-140, Los
11 Angeles, CA 90015-1640.

12 **David C Watts**

13 Law Office of David A Martin & Associates
14 8880 Cal Center Dr, #260
15 Sacramento, CA 95826
16 (916) 381 4040
17 (916) 381 4070 Fax
18 dwatts@dmartinlaw.com

19 **Second District Court of Appeals**

20 300 S. Spring Street
21 2nd Floor, North Tower
22 Los Angeles, CA 90013

23 I declare under penalty of perjury, under the laws of the State of California, that the
24 foregoing is true and correct.

25 Executed this day, July 7, 2015, at Los Angeles, California.

26 Respectfully submitted,

27 

28 Mary Cummins, Plaintiff
Dated: July 7, 2015
645 W. 9th St. #110-140
Los Angeles, CA 90015