

orders were not just or fair in any sense of the words. Defendant believes the same thing will happen in front of Judge Jennifer Rymell.

ARGUMENTS AND AUTHORITIES

The due process clauses of both the Texas and the United States Constitutions guarantees a party an impartial and disinterested tribunal in civil cases. *Marshall v. Jerrico, Inc.*, 446 U.S. 238, 242, 100 S.Ct. 1610, 1613 (1980); *Metzger v. Sebek*, 892 S.W.2d 20, 37 (Tex. App. Houston [1st Dist.] 1994, writ denied).

In this case, the personal interest and bias of the judge of the court will deprive Defendant of a fair trial in violation of the due process clauses of both the Texas and the United States Constitutions and in violation of Texas Rule of Civil Procedure 18b because the judge's impartiality might reasonably be questioned. Tex. R. Civ. P. 18b(2)(a); *Dunn v. County of Dallas*, 794 S.W.2d 560, 562 (Tex. App. Dallas 1990, no writ). In this case, it is reasonable to question the impartiality of Judge Jennifer Rymell because of the facts stated herein.

Defendant is indigent and cannot afford to pay a notary to notarize this document. Plaintiffs have accepted unnotarized documents in this case already i.e. Cummins Waiver of Service.

CONCLUSION

Judge Jennifer Rymell is prejudiced against Defendant and has a conflict of interest in this case. She should be removed from overseeing this case.

PRAYER

WHEREFORE, the Defendant prays that the Judge of this Court immediately request the Presiding Judge of this administrative district to assign another judge to hear this case who is not a friend of Randy Turner or his wife Patti Gearhart-Turner, and

that upon such hearing Judge Jennifer Rymell be disqualified or recuse herself from presiding in this case. If it is not possible to find a Judge that is not personal friends with the Turners, Defendant requests this case be transferred to another county and court.

Respectfully submitted,

Mary Cummins, Defendant Pro se
645 W 9th St, #110-140
Los Angeles, CA 90015-1640
September 4, 2015
Phone 310-877-4770
Email: mmmaryinla@aol.com

By:



Mary Cummins, Defendant Pro Se

MARY CUMMINS DECLARATION

I, MARY CUMMINS, declare under penalty of perjury under the laws of the States of California and Texas that the foregoing is true and correct, and that I could and would testify thereto as herein if called upon to do so, based upon my personal knowledge of the facts set forth herein.

1. I have been declared indigent in the states of Texas and California for court purposes.
2. I do not have \$10 to pay a notary to notarize this document.
3. Randy Turner and Patti Gearhart-Turner are personal friends of Judge Jennifer Rymell.
4. No proceeding has taken place before this Judge.
5. No proceeding has been set for hearing before this Judge.
6. This Motion to Recuse is timely.
7. I will be deprived of a fair trial if Judge Jennifer Rymell oversees this case.
8. I am also filing a motion for telephonic appearance.
9. I am physically disabled besides a pro se out of state Defendant.
10. I cannot physically get to Texas. I also cannot afford to go to Texas.
11. May 4, 2011 Randy Turner told me "I've known this judge for years. He'll sign anything I put in front of him."
12. Judge William Brigham did sign every order placed in front of him.
13. The two orders Judge Brigham signed were void.

Signed September 4, 2015 in the City of Los Angeles, California.


Mary Cummins

CERTIFICATE OF CONFERENCE

September 4, 2015 I sent an email to Daniel Sullivan Randy Turner's employee asking if he opposed this motion. I received no reply. As Turner has opposed all motions, I assume he will also oppose this one.

CERTIFICATE OF SERVICE

I, Mary Cummins, hereby certify that a TRUE COPY of the above **PLAINTIFF'S MOTION TO RESCUE JUDGE JENNIFER RYMELL** was served on the Plaintiffs' Attorney of record by FAX and by FIRST CLASS MAIL at

Randy Turner
Bailey & Galyen
1300 Summit #650
Fort Worth, TX 76021
rturner@galyen.com
this 4th Day of September 2015



Mary Cummins, Defendant Pro se
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Cause No 2015-002259-2

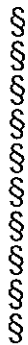
AMANDA LOLLAR

Plaintiff,

vs.

MARY CUMMINS,

Defendant



County Court No 2

TARRANT COUNTY

ORDER

After hearing this motion to recuse Judge Jennifer Rymell, the Court grants this motion. Judge Jennifer Rymell is recused from this case.

Date _____

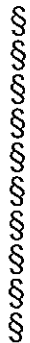
Judge Presiding

Cause No 2015-002259-2

AMANDA LOLLAR
Plaintiff,

vs.

MARY CUMMINS,
Defendant



County Court No 2

TARRANT COUNTY

FIAT

Defendant's OPPOSED MOTION TO RECUSE JUDGE JENNIFER RYMELL was filed on _____, 2015. Defendant requests that the foregoing be set for telephonic hearing.

IT IS THEREFORE ORDERED that a telephonic hearing before this court on said Motion be set for the _____ day of _____ at _____ a.m./p.m. via telephonic appearance in the Court of Tarrant County, Texas.

Date _____

Judge Presiding