



1 MARY CUMMINS
2 Debtor, Defendant, In Pro Per
3 645 W. 9th St. #110-140
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8 UNITED STATES BANKRUPTCY COURT FOR THE
9 CENTRAL DISTRICT OF CALIFORNIA

<p>10 In re:</p> <p>11 MARY CUMMINS-COBB,</p> <p>12</p> <p>13 Debtor</p> <hr/> <p>14 KONSTANTIN KHIONIDI, as Trustee</p> <p>15 Of the COBBS TRUST,</p> <p>16</p> <p>17 Plaintiff,</p> <p>18 vs.</p> <p>19 MARY CUMMINS-COBB</p> <p>20 Defendant.</p>	<p>) Case No. 2:17-bk-24993-RK Chapter 7</p> <p>) Adv. Proc. No. 2:18-ap-01066-RK BAP No.: CC-20-1033 2:20-cv-02149-AB</p> <p>) DECLARATION OF MARY CUMMINS IN SUPPORT OF APPLICATION FOR AN ORDER SHORTENING TIME RE EX PARTE APPLICATION TO STAY CASE DUE TO STATE OF EMERGENCY</p> <p>) Judge: Honorable Robert N. Kwan Courtroom: 1675 Edward R. Roybal Federal Building 255 E. Temple St, Suite 1682 Los Angeles, CA 90012 Hearing Date: Not set</p>
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23 **DECLARATION OF DEFENDANT MARY CUMMINS**

24 I, MARY CUMMINS, declare as follows:

- 25 1. I am Mary Cummins Defendant in pro per. I make this declaration on my
- 26 personal knowledge of the facts set forth herein.

- 1 2. Everything in DEFENDANT’S DECLARATION and APPLICATION was
2 written by me, Defendant Mary Cummins pro se, and is the truth to the best of
3 my knowledge.
- 4 3. All exhibits cited, footnoted, attached to this Declaration, legal filing are true
5 and correct copies of the originals.
- 6 4. Defendant is not an attorney, legal aide or legal assistant.
- 7 5. Defendant is requesting that this Court hear Defendant’s Ex Parte Application on
8 shortened notice in order to have the Application to Stay the Case timely heard
9 well enough before the judgment of this court is final and/or a trial can be set to
10 hear Defendant’s remaining claims and/or the appeal is processed. Defendant
11 has not been able to file legal docs, replies because of the current state of
12 emergency. This pandemic has caused a Level One Emergency in the city of Los
13 Angeles, California per Mayor Eric Garcetti¹ where Defendant lives. California
14 Governor Gavin Newsom has stated that all people over 65 with compromised
15 immune systems or living in the homes of same should stay home to stop the
16 spread of Covid 19². LA County Courts as of this morning have just
17 automatically stayed all non-emergency matters for 30 days³ “ATTENTION:
18 COVID-19 News Cente PRESIDING JUDGE KEVIN C. BRAZILE ISSUES
19 IMPLEMENTATION ORDER TO CONTINUE ALL NON- EMERGENCY
20 MATTERS FOR 30 DAYS DUE TO CORONAVIRUS (COVID-19)
21 PANDEMIC.” While this specific hearing is an emergency the bankruptcy case
22 is not. LA public libraries, LA court self-help center, pro se clinics are closed.
23 Defendant pro se can’t get any legal help and is at extreme disadvantage.
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27 ¹ LA City Corona Virus emergency page <https://corona-virus.la/>
28 ² California Dept of Health Corona Virus emergency instructions
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/ncov2019.aspx>
³ LA Courts stay all non-emergency matters for 30 days <http://www.lacourt.org/>

- 1 6. Defendant lives in a home with a 78 year old with diabetes, asthma and other
2 medical conditions and a 75 year old with diabetes and many other medical
3 conditions. These two people are at high risk to die from Covid 19. They have
4 been instructed, ordered to stay home along with anyone else in the home.
5 Defendant is legally homeless and is currently staying with these two people.
6 Defendant has not left the house in over 2.5 weeks for this reason.
- 7 7. Defendant needs a court order and the Appeal package to file a reply and the
8 appeal. Those items are at Defendant's p.o. box. The Texas court order is not
9 available online. Defendant can only see the docket which states Plaintiff's
10 identical second defamation case was just dismissed February 25, 2020. It was
11 dismissed because Defendant has NEVER defamed Plaintiff. Because the
12 Defamation Mitigation Act passed in Texas since the filing of the first case upon
13 which the judgment of tis bankruptcy case is based Plaintiff had to submit
14 evidence of defamation to the court. Plaintiff had to forge that "evidence."
15 Plaintiff defamed Plaintiff in written exhibits per Plaintiff. Plaintiff forged their
16 exhibits and submitted perjured affidavits stating the exhibits were true and
17 correct copies of the originals which are still online which is false. The Texas
18 court must use the eFileTexas system to file and serve all docs but this one court
19 has refused to use it with only Defendant. Defendant even requested the order by
20 email and the Court refused. Defendant's UPS mailbox center at 645 W 9t St,
21 LA 90015 is not answering the phone or email. Someone posted that it is closed.
22 Generally one can use a code to open the main door to get to the mailbox and
23 use a key to open the individual box. When there is an overflow of packages into
24 that area the main door is locked so the packages aren't stolen. There is always
25 an overflow especially now as people can't pick up their packages. Defendant
26 has not been able to get mail.
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- 1 8. Defendant has asked this Court to allow Defendant to file via ecf but this Court
2 has refused twice. Defendant could only file paper copies in person during the
3 week during business hours. Finally Defendant was recently allowed to email
4 docs to file to a clerk with the bankruptcy court to file. Defendant does not have
5 a printer. Defendant has to print to a thumb drive and go to a copy place such as
6 Fedex. Defendant can't leave the house to do this. Because Defendant can no
7 longer work because of the emergency Defendant doesn't have money to print
8 copies. Defendant can't mail paper courtesy copies to the District Court.
9 Defendant will hopefully be able to efile with the District Court but was told a
10 courtesy paper copy must still be sent to the District Court. Defendant was told
11 the user name and password would be sent to the mail box so Defendant can
12 efile in the District appeal. Defendant will not be able to get the user name and
13 password to file documents.
- 14 9. The parties met and conferred about this ex parte application to stay the case
15 pending the world wide corona virus pandemic. Plaintiff objects to stay the case.
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- 17 10. If the case were stayed, Plaintiff's rights would not be affected in the least. The
18 judgment still exists as it did before the bankruptcy was filed. The Bankruptcy
19 Trustee has already claimed that there are no assets. There is nothing Plaintiff
20 can take from Defendant. Because of the World Wide Emergency there is no
21 chance Defendant will have a penny more of assets in the near future. Because
22 of this judgment and actions of Plaintiff Defendant is legally homeless with no
23 income. The Sister State Judgement Court case BS140207 gave every penny in
24 Defendant's only bank account to Plaintiff. That money was only there because
25 Defendant's landlord did not cash rent checks because the landlord was out of
26 the country. Plaintiff has intentionally made it so Defendant can't get work out
27 of spite. This is scorched earth litigation because Defendant reported Plaintiff to
28 authorities. Government agencies investigated Plaintiff. Government agencies

1 stated Plaintiff committed “animal cruelty” and “violated the Animal Welfare
2 Act.” Plaintiff lost their USDA permit and were reprimanded by other
3 government agencies. Plaintiff claimed Defendant’s honest fair and privileged
4 reports to authorities were defamation. Plaintiff never showed or proved even
5 one element of defamation. They never even stated what they felt was
6 defamatory pre trial or during the trial. Plaintiff on the other hand has defamed
7 Defendant. Plaintiff posted over 400 blogs, websites, Facebook
8 pages...defaming Defendant falsely accusing Defendant of a multitude of
9 federal, state and other crimes. Plaintiff contacted almost all business contacts,
10 family members, friends, Facebook contacts of Defendant to defame Defendant.
11 Plaintiff posted obscene threats on Facebook against Defendant and Plaintiff’s
12 Facebook pages were deleted at least three times.

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14 11. If this Application is not heard on shortened notice, Defendant will be unable to
15 defend this case. Defendant will lose Defendant’s right to a trial on the
16 remaining claims, the right to appeal and the right to discharge this ridiculous
17 ten million \$10,000,000.00+ judgement which is the only real debt in the
18 bankruptcy case. There is no reason not to resolve this motion to stay the case
19 via an Order Shortening Time.
- 20 12. A copy of Defendant’s ex parte Application and the Declaration of Defendant
21 Mary Cummins are attached hereto as Exhibit 1.

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

24 Executed on March 17, 2020 at Los Angeles, California.

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27 By: Mary Cummins
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PROOF OF SERVICE
(FRCivP 5 (b)) or
(CCP 1013a, 2015.5) or
(FRAP 25 (d))

I am Plaintiff in pro per whose address is 645 W. 9th St. #110-140, Los Angeles, California 90015-1640. I am over the age of eighteen years.

I further declare that on the date hereof I served a copy of:

MOTION

on the following interested parties by email to the following at .

Philip H. Stillman
Stillman & Associates
pstillman@stillmanassociates.com

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

Executed this day, March 17, 2020, at Los Angeles, California.

Respectfully submitted,



Mary Cummins, Defendan
645 W. 9th St. #110-140
Los Angeles, CA 90015