

1 MARY CUMMINS
2 Debtor, Defendant, In Pro Per
3 645 W. 9th St. #110-140
4 Los Angeles, CA 90015
5 Direct: (310) 877-4770
6 Fax: (310) 494-9395
7 mmmaryinla@aol.com mmmarycummins@gmail.com mary@marycummins.com

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 style="text-align: center;">13 Debtor</p> <hr style="border: 1px solid black;"/> <p>14 KONSTANTIN KHIONIDI, as Trustee</p> <p>15 Of the COBBS TRUST,</p> <p>16</p> <p style="text-align: center;">17 Plaintiff,</p> <p style="text-align: center;">18 vs.</p> <p>19 MARY CUMMINS-COBB</p> <p>20</p> <hr style="border: 1px solid black;"/> <p style="text-align: center;">21 Defendant.</p>	<p>) Case No. 2:17-bk-24993-RK</p> <p>) Chapter 7</p> <p>) Adv. Proc. No. 2:18-ap-01066-RK</p> <p>) BAP No.: CC-20-1033</p> <p>) 2:20-cv-02149-AB</p> <p>)</p> <p>) DEFENDANT’S NOTICE TO</p> <p>) COURTS ABOUT REQUESTING</p> <p>) EXTENSION</p> <p>)</p> <p>) Judge: Honorable Robert N. Kwan</p> <p>) Courtroom: 1675</p> <p>) Edward R. Roybal Federal Building</p> <p>) 255 E. Temple St, Suite 1682</p> <p>) Los Angeles, CA 90012</p>
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22 **NOTICE TO COURTS**

23 **Introduction**

24 Defendant Mary Cummins files this notice simultaneously to the bankruptcy court,
25 adverse proceeding court, California District Court Appeals Court and to the
26 bankruptcy trustee. Defendant will be requesting a 30 day extension to file the opening
27 brief in the appeal of the denial of discharge of one judgment.
28

1 The only reason Defendant filed for bankruptcy is to discharge this unjust
2 dischargeable judgment. Defendant reported Plaintiff to authorities via fair and
3 privileged reports. Authorities investigated Plaintiff and agreed with Defendant's
4 reports. Plaintiff lost their permit as a result. Plaintiff sued Defendant in retaliation in
5 this scorched earth litigation stating the reports and more were defamatory.

6 As stated previously if for any reason this judgment is not discharged, Defendant
7 will dismiss the bankruptcy filing. This \$10,000,000 judgment is the only reason and
8 judgment Defendant is trying to discharge. Do not proceed to close and discharge this
9 bankruptcy unless it includes the \$10,000,000 judgement.

10 This judgment is the result of a 2010 defamation, breach of contract lawsuit in
11 Texas case # 352-248169-10. Again, Defendant never defamed Plaintiff or breached a
12 contract. Plaintiff never stated what they felt was defamatory pretrial or during the
13 trial. Plaintiff never showed one element of defamation in the trial court. They never
14 proved defamation and definitely never proved anything was with malice. Plaintiff
15 never showed one penny of damages or harm. Plaintiff knew that Defendant had no
16 money or assets at that time and there was no separate trial for damages.

17 This judgment is the result of fraudulent behavior on the part of Plaintiff and their
18 Texas attorney Randall E. Turner. Turner stated in the courtroom to Defendant "I've
19 known this Judge for years. He'll sign anything I put in front of him." To this day
20 Plaintiff's attorney has never even denied stating this. The long retired 84 year old
21 retired visiting now dead Judge William Brigham signed all orders without even
22 reading them. Mandatory retirement age in Texas for Judges is 75. Judge Brigham
23 never even signed or filed an oath of office. The judgment is void.

24 On appeal all claims for breach of contract, liquidated damages and attorney fees
25 were reversed. All claims to Bat World Sanctuary were reversed.

26 Immediately after the appeals decision was released in 2015 Plaintiff filed a
27 copy/paste identical lawsuit. The Texas Defamation Mitigation Act and Texas Citizen
28

1 Participation Act had passed since the filing of the first lawsuit to try to stop the many,
2 many frivolous defamation lawsuits to limit free speech. Plaintiff now had to state
3 specifically what was defamatory and prove that it was defamatory. Plaintiff never did
4 this.

5 Because Defendant has never defamed Plaintiff, Plaintiff forged their exhibits and
6 submitted perjured affidavits stating that the exhibits are true and correct copies of the
7 originals which are still online today. This was false and easily proven in court.
8 Defendant never wrote the original articles or made any of the comments. Plaintiff
9 added comments which don't exist in the articles online. Plaintiff defamed Plaintiff in
10 the written exhibits. All comments made in those sites are anonymous. Nonetheless
11 Defendant never made any of them.

12 Defendant proved to the Court that the exhibits were forged and affidavit was
13 perjured. The Appeals Court even stated that this should be taken care of in the trial
14 court. For this reason the current case 2015-00259-3 was just dismissed February 2020
15 in the trial court. Plaintiff clearly has unclean hands in the previous two lawsuits and
16 their current adverse proceeding.

17 Plaintiff Amanda Lollar owner of the judgment created straw person and Plaintiff a
18 Russian living in Russia Konstantin Khionidi. The purpose was so Defendant could not
19 do any discovery in the adverse proceeding case. Plaintiff has lied to the Court stating
20 the Russian is a real person. Plaintiff stated they'd file a notarized statement by the
21 Russian yet could never do so as the Russian does not exist.

22 The six page judgment does not contain the words defamation, defamatory, slander,
23 libel or malice. It's a take down order only. Defendant clearly didn't even write or post
24 all of the items in the take down order. Some were written, posted by Plaintiff,
25 Plaintiff's veterinarian, government officials and other known people other than
26 Defendant. Plaintiff has used this litigation to remove truthful items that Plaintiff just
27 didn't like on the internet.
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1 **COVID 19 STAY AT HOME ORDERS AFFECTING THIS CASE**

2 Currently LA City, LA County and the state of California are under “stay at home”
3 orders. Only essential businesses are open. For this reason Defendant has no income at
4 all.

5 Defendant tried to file for an extension on this case. As far as Defendant can tell it
6 has not been approved. Defendant can’t view Pacer. Defendant is requesting a 30 day
7 extension in order to file Defendant’s opening brief.

8 Defendant has no bank accounts or credit cards. Defendant currently has no source
9 of income due to the stay at home orders affecting the real estate appraisal business.
10 Defendant is legally homeless.

11 Defendant’s old iPhone which is Defendant’s only phone stopped working soon
12 after the last hearing in the Adverse Proceeding case. Defendant has also been having
13 problems with Defendant’s nine year old notebook computer which was noted
14 previously in this case. For this reason defendant had to reset the computer removing
15 all cookies and passwords. The only way to sign back into Google, Chrome...was via a
16 two-factor verification process via the phone which is not working.

17 It appeared the old iPhone needed a battery. Because the iPhone is old they no
18 longer make new batteries for that model. Old refurbished batteries can be found
19 online back ordered but they must be paid for with a credit card and delivered.
20 Defendant does not have a credit card. Defendant only has gift cards which not all
21 places accept. The battery is not available in retail stores. Nonetheless Defendant
22 found a used battery and installed it. The phone still did not work. Defendant needs a
23 new phone.
24

25 In the meantime Defendant has not been able to access mmarycummins (at) gmail
26 (dot) com, phone messages or texts. Defendant was able to access AOL email
27 mmaryinla (at) AOL (dot) com because Defendant remembered the password.
28 Defendant sent an email to Plaintiff’s attorney Philip Stillman last week notifying

1 Plaintiff to email Defendant at AOL and/or use the fax number associated with this
2 case as Defendant has no access to the phone or gmail. Defendant also sent an email to
3 the Adverse Proceeding filing clerk notifying the Court of these problems. The AOL
4 account is associated with this case as it's on the top of all filings. Defendant posted
5 that Defendant has no phone or Google access on Facebook. Plaintiff Amanda Lollar
6 has been following, stalking Defendant online for the last ten years commenting about
7 every word Defendant posts. Plaintiff clearly knows Defendant has no phone or
8 Google access.

9 Defendant uses a p.o. box because Defendant is legally homeless. Defendant has
10 not been receiving mail sent to the p.o. box. Plaintiff and Plaintiff's attorney Stillman
11 have Defendant's current temporary home address.

12 Defendant then tried to sign onto AOL using a different IP address only because the
13 IP address refreshed. AOL asked to verify by text sent to the cell phone. Defendant is
14 now locked out of Google and AOL. Defendant has just set up email
15 mary@marycummins.com. That domain name and email address have been included
16 in the email exhibits in this case in the sig line. Defendant is trying to buy a cheap used
17 iPhone to replace the broken one but Defendant has no money to do so. Defendant is
18 requesting the 30 days so Defendant can find some money to buy a new used phone to
19 access Google, Fax, AOL, Pacer...

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21 Immediately after filing the notice of appeal Defendant sent in the form requesting
22 to file electronically. Defendant just used a free online phone service to contact
23 California District Court ECF Pacer system to get the user name and password to file
24 on the bankruptcy adverse proceeding appeals case. The woman at the ECF office said
25 no form was submitted so it has not yet been approved. The woman told Defendant to
26 resend it and give it a couple of weeks. Defendant is sending it again today. The
27 woman stated the filings, user name, password would be emailed. Defendant won't be
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1 receiving those emails until the phony is working. Defendant is requesting all past and
2 current Pacer and other filings, notices be sent to mary (at) marycumins (dot) com.

3 Defendant has also been ill and awaiting surgery. In the meantime Defendant tore
4 Defendant's rotator cuff and can't use Defendant's right arm which makes typing very
5 difficult. It's taken two days to type this notice.

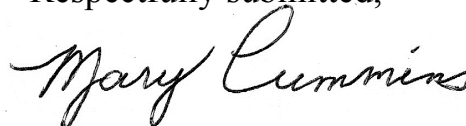
6 Plaintiff will not be affected by a 30 day extension. Defendant has no assets or
7 income. Even if Defendant had assets or income Defendant filed all exemptions which
8 were approved by the bankruptcy trustee. Defendant would have to make over \$75,000
9 a year in order to have disposable income in Los Angeles which is clearly not
10 happening. The judgment isn't going anywhere.

11 Because Defendant does not currently have a phone Defendant will not be able to
12 make the next status conference. Defendant doesn't know the date as it's trapped in
13 Google calendar and Defendant has no current access to Pacer.

14 CONCLUSION

15 For the foregoing reasons, Defendant sends this notice to the Courts. Defendant
16 will be buying a new used phone as soon as Defendant can obtain the cash funds
17 within the next week. Defendant will be, is requesting a 30 day extension to file the
18 appeal opening brief. Defendant would like to order the court record. Please, send all
19 notifications to mary (at) marycummins(dot) com in the meantime.
20

21 Respectfully submitted,

22 

23 _____
24 Mary Cummins, Defendant

25 Dated: April 30, 2020
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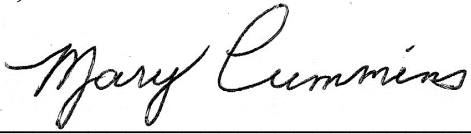
DECLARATION OF DEFENDANT MARY CUMMINS

I, MARY CUMMINS, declare as follows:

1. I am Mary Cummins Defendant in pro per. I make this declaration on my personal knowledge of the facts set forth herein.
2. Everything in this notice, document was written by me and is the truth to the best of my knowledge.
3. All exhibits cited, footnoted, attached are true and correct copies of the originals.

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

Executed on April 30, 2020 at Los Angeles, California.

By: 

MARY CUMMINS

1 PROOF OF SERVICE
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.

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

8 NOTICE


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

10 Philip H. Stillman
11 Stillman & Associates
12 pstillman@stillmanassociates.com
13

14
15 I declare under penalty of perjury, under the laws of the State of California, that the
16 foregoing is true and correct.

17 Executed this day, April 30, 2020, at Los Angeles, California.

18 Respectfully submitted,

19
20 

21
22 Mary Cummins, Defendan
23 645 W. 9th St. #110-140
24 Los Angeles, CA 90015
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