

IN THE SUPREME COURT OF OHIO  
Case No. 17-1365

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Appeal from the Eighth Judicial District  
Cuyahoga County, Ohio

CASE NO. CA-17-106097

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BEDFORD ASSOCIATES, et al.

Appellees/Plaintiffs,

v.

WILLIE COLEMAN, et al.  
Appellants/Defendants.

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MEMORANDUM IN RESPONSE  
TO JURISDICTION<sup>1</sup>

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<sup>1</sup> As an initial matter, Appellant's Brief exceeded the page limit by 8 pages and did not follow the Supreme Courts Rule on formatting and should be stricken.

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Appellees/Plaintiffs (“Covens”), by and through their undersigned counsel, hereby file their Memorandum in Response to Jurisdiction.

II. STATEMENT OF WHY THIS CASE DOES NOT INVOLVE PUBLIC OR GREAT GENERAL INTEREST OR A SUBSTANTIAL CONSTITUTIONAL QUESTION

It is apparent that this case does not involve an issue of public or great, general interest or a substantial constitutional question. Contrary to Appellant’s disjointed, indecipherable arguments, this is not a case about a private creditor being converted into debtor with a court posthumously voiding a commercial contract. This is case about a criminal with an axe to grind. Appellant is not a creditor; the Covens are not debtors and there was no contract voided by the Court. This is a case about a criminal seeking to victimize the Covens. Appellant has harassed and sought to injure Larry Coven, his family and his business (“Covens”) for years. Appellant served/recorded fictitious demands, affidavits of truth, liens and notices of intent to levy upon the Covens. Appellant was warned repeatedly to stop, but refused. Now faced with the consequences of his illegal acts, Appellant seeks Supreme Court review. Appellant’s illegal actions should not be allowed to continue any further.

Appellant is part of a group known as “sovereign citizens”/“indigenous moors”, an extremist movement, which does not recognize the legitimacy<sup>2</sup> of the government. The Courts have defined “sovereign citizens” as “a loosely affiliated group who believe that the state and federal governments lack constitutional legitimacy and therefore have no authority to regulate their behavior. **The FBI has labeled the sovereign citizens a domestic terrorist group.**” *United*

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<sup>2</sup> Ironically, Appellant now seeks the aid of the Courts, whom they argue have no jurisdiction or sway over them.

*States v. Ulloa*, 511 Fed.Appx. 105, fn.1 (2d Cir. 2013), citing FBI Bulletin (emphasis added). “Sovereign citizens” are a group known for engaging in fraudulent lien filings.<sup>3</sup>

The Appellant filed a series of fraudulent, knowingly false liens and UCC financing statements against the Covens with various county recorders and the Ohio Secretary of State. He filed liens against the Covens personal and real property based upon a non-existent debt. He filed liens against people he never met or dealt with simply because they were related to Larry Coven (i.e. Steve/Melissa Coven). Appellant’s actions were extortion and harassment, plain and simple.

To accept this appeal would fuel Appellant’s (and similar “paper terrorists”<sup>4</sup>) asinine beliefs that the laws of Ohio and the United States do not apply to him. To accept this appeal would fan the flames of these extremist groups that seek to use frivolous and knowingly false liens, claims and lawsuits to injure and extort money from innocent parties. To accept this appeal would legitimize these “paper terrorists” actions in their own eyes and harm the innocent.

There is no issue of public or great general interest involved in this case. Quite the opposite, this appeal is simply more harassment of the Covens. Moreover, no substantial constitutional issue is raised. The brief of Appellant is nonsensical gibberish. Appellant argues that this case involves the voiding of commercial, non-judicial liens, but the courts have universally struck down liens and filings by these self-proclaimed “sovereign citizens.” For decades, the courts have summarily rejected such liens and filings. *See United States v. Benabe*, 654 F.3d 753, 767 (7th Cir. 2011); *See also Bryant v. Washington Mut. Bank*, 524 F.Supp.2d

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<sup>3</sup> *See generally, Sovereign Citizens, A Growing Domestic Threat to Law Enforcement*, <https://leb.fbi.gov/2011/september/sovereign-citizens-a-growing-domestic-threat-to-law-enforcement>.

<sup>4</sup> <http://www.wbir.com/article/news/local/fbi-discusses-sovereign-citizen-movement-paper-terrorism/300065718>; <https://www.washingtonpost.com/news/post-nation/wp/2017/03/03/yall-cant-do-nothing-to-me-sovereign-citizen-accused-of-killing-police-officer-tells-judge>

753, 760 (W.D.Va.2007) (dismissing action where plaintiff filed false UCC financing statements and rejecting bill of exchange as “clearly nonsense in almost every detail”); *Santiago v. Century 21/PHH Mtge.*, N.D.Ala. No. 1:12–CV–02792–KOB (Mar. 27, 2013) (dismissing plaintiff’s action where he filed secured party creditor documents, noting that “[t]he attempt to divide oneself into two separate entities, with only one being liable for incurring debts, is a legal fiction and has been struck down consistently in courts around the country”). These so-called sovereign citizens believe that they are not subject to government authority and employ various tactics to derail proceedings. *Gravatt v. United States*, 100 Fed. Cl. 279, 283 (Fed.Cl.2011) See e.g., *Paul v. New York*, No. 13-CV-5047(SJF)(AKT), 2013 WL 5973138 (E.D. N.Y. Nov. 5, 2013). In a detailed discussion, the Second District, held the arguments of sovereign citizenship should be rejected:

[Beliefs of sovereign citizens] involve the alleged corporate status of Ohio and the United States; the relationship between the yellow fringe on the United States flag and admiralty jurisdiction; and the effect of capitalizing the letters of his name. Plaintiff ultimately maintains that he does not have a contract with either Ohio or the United States and, therefore, does not have to follow government laws. \* \* \* [F]ederal courts have routinely recognized that **such theories are meritless and worthy of little discussion**. See, e.g., *People of the Republic United States ex rel. Goldsmith v. Schreier*, No. CIV. 124155, 2012 U.S. Dist. LEXIS 131987, 2012 WL 4088858, at \*4 (D.S.D. Sept.17, 2012) (“Other courts have noted the **sovereign citizen theory has been consistently rejected**.”)... *United States v. Ward*, 182 F.3d 930, 1999 U.S.App. LEXIS 9255], 1999 WL 369812, at \*2 (9th Cir.1999) (rejecting sovereign citizen argument **as frivolous and undeserving of “extended argument”**); *Eidson v. Burrage*, 113 F. App’x 860, 862 (10th Cir.2004) (holding that a plaintiff’s “yellow fringe flag” arguments were “**indisputably meritless**”).

*State v. Few*, 2d Dist. Montgomery No. 25969, 2015–Ohio–2292, ¶ 6; See also *State v. Thigpen*, 8th Dist. Cuyahoga No. 99841, 2014–Ohio–207; *State ex rel. Robinson v. O’Donnell*, 10th Dist. Franklin No. 15AP–225, 2015–Ohio–3987 (emphasis added). The courts throughout the United

States have struck down these types of filings and found sovereign citizens' actions to be not only "meritless", "nonsense", but dangerous. There is no constitutional protection. The FBI has classified Sovereign Citizens "as **domestic terror threats** because they are anti-government extremists.... The Indiana Department of Correction ("IDOC") considers Sovereign Citizens to be a **security threat group**. A typical activity of Sovereign Citizens is filing false lien notices, a tactic known as "**paper terrorism**." (internal cites omitted). *Hill-Bey v. Johnson*, 2017 WL 2618917 (S.D. Ind. 16-cv-00487-TWP-MJD). In *Santiago v. Century 21/PHH Mortgage*, "[t]he court recognizes the use of 'affidavits' and other pseudo-legal documents that purport to require responses within a specified time or face 'legal consequences' of the author's own making... **do not create valid legal documents.**" at Fn.3.

The Courts do not recognize these fictitious filings referring to them as "clearly nonsense in almost every detail." *Bryant*. The FBI has identified "sovereign citizens" as "domestic terrorists" and the department of corrections calls them as a "security threat group." *Hill-Bey*. Thus, there is no issue of public or great general interest in this case. There is no substantial constitutional question. This case is simply another attempt by a "paper terrorist" to injure, extort and scare innocent people by filing fictitious liens and claims. This frivolous appeal is being used solely to harass the Covens. The Appellant makes no cogent legal arguments. There is no issue of public importance. There is no constitutional question. The Covens respectfully request that the Court refuse jurisdiction, sanction the Appellant and award the Covens all costs.

### III. FACTS AND PROCEDURAL BACKGROUND

In October 2015, Appellant Willie Coleman Ali-El sent Larry Coven a bizarre piece of correspondence entitled "Affidavit of Truth." This odd document contained purported "Agreements, Terms and Conditions" demanding personal information pursuant to random and

irrelevant laws. The “Affidavit of Truth” threatened that the failure to provide personal information was an **“international crime” and a “human rights violation.”** Upon information and belief, the basis for this bizarre correspondence was a commercial lease extension that Appellant “purported” to sign on behalf of Contractors Granite & Cabinets, LLC with Larry Coven’s company Bedford Associates. However, there was one a significant problem, Appellant was not the tenant. Bedford Associates was informed by the “actual tenant” and its lawyer that Appellant was not an owner and had no authority to sign on behalf of the tenant.

In response to the “Affidavit of Truth,” we sent Appellant a letter informing him that his correspondence was nonsensical, that the Covens disputed all claims and instructed Appellant to stop contacting the Covens. On November 12, 2015, Appellant sent another “Affidavit of Truth,” styled as “Notice of Default Cure” stating that Larry Coven failed to conform to their bizarre and unfounded process for responding, including **submitting proof of “nationality to established status at law.”** In response to Appellant’s “Affidavit of Truth,” the undersigned again sent a letter contesting any claim and instructing him to cease and desist.

This bizarre correspondence continued throughout 2015 and into 2016. On February 3, 2016, without informing the Covens, Appellant filed a knowingly fraudulent UCC Financing Statement with the Ohio Secretary of State, No. 201603601368 alleging a lien and security interest on Appellees’ property in the amount of \$42,000.00, “at daily fine of \$1000.”

On March 7, 2016, Defendant Moabite International Group<sup>5</sup> sent Larry Coven correspondence entitled “Final Notice - Notice of Intent to Levy,” claiming a “Private Administrative Procedure” had created a lien against Mr. Coven’s property, and fraudulently

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<sup>5</sup> Upon information and belief, Moabite International Group is a fictional, unincorporated entity used as an alias or cover by Defendant Coleman.

claiming an interest in Mr. Coven's assets. It stated he could lose "property or rights to property such as real estate, automobiles, business assets, bank accounts, wages, commissions, and other income." The March 7, 2016 letter demanded full payment to Willie Coleman-Ali El. Again, counsel for the Covens responded informing them that there was no debt, that their correspondence was knowingly false, and threatening legal action. On April 7, 2016, Moabite International Group sent Mr. Coven a letter again threatening to levy his assets, claiming a debt of \$128,000.00. The amounts in these false demands/liens randomly increased exponentially.

Next, on April 15, 2016, Appellant filed a Complaint against Larry Coven in this United States District Court for the Northern District of Ohio, Case No. 1:16-cv-00902-PAG. The U.S. District Court dismissed Defendant's Complaint noting that:

[Defendant]'s Complaint is composed entirely of random legal citations. It contains no facts, no actual legal claims, and no prayer for relief.

In August 2016, Appellant knowingly filed a fraudulent UCC Financing Statement with Cuyahoga County, identified as No. 201608229006 claiming a broad security interest over the Coven's property, including Larry Coven's son and daughter-in-law. This occurred even though Steve and Melissa had no ownership interest in Larry Coven's business. None of the Covens ever signed a loan with the Appellants. None of the Covens ever signed a security agreement with the Appellants. None of the Covens had a judgment entered against them by Appellant. They were not debtors and owed no money to Appellant. In addition to harassing Larry Coven, Appellant had now targeted innocent family members.

Due to the serious and frightening nature of Appellant's conduct, the Covens filed a lawsuit seeking a Temporary Restraining Order ("TRO") and damages. The Trial Court granted the TRO and later granted the preliminary injunction at a full evidentiary hearing. Appellant



violated the injunction by filing a third false and illegal lien upon the Covens. The Court found Appellant Willie Coleman Ali El in contempt. During the contempt hearing, Appellant admitted notice of the injunction, filing the lien and violating a Court Order. Appellant then sought to disqualify Judge Shannon Gallagher with the Supreme Court. This Court stated that, “[p]resumably, Mr. Coleman believes that because Judge Gallagher has experience with *sham legal processes*, she has hostility toward anyone who uses similar procedures.” *In re Disqualification of Gallagher*, 2017-Ohio-7055 (emphasis added). This Court denied Appellants request to disqualify implying Appellant was involved in “sham legal processes.” The Covens moved for summary judgment, which was granted in great part. The Court granted the permanent injunction and then held a trial on damages. At trial, Appellant was represented by counsel. The Court found in favor of the Covens and awarded them damages.

The Trial Court entered judgment on June 28, 2017. The deadline to appeal was July 28, 2017. Appellant failed to timely appeal. On August 8, 2017, he attempted to file an appeal to the Eighth District Court of Appeals. The Eighth District dismissed the appeal as untimely and refused to certify any conflict. Appellant now appeals to this Ohio Supreme Court. As set forth herein, the Court should refuse jurisdiction.

#### IV. LAW AND ARGUMENT

##### RESPONSE TO PROPOSITIONS OF LAW:

##### A. UNTIMELY APPEAL

As an initial matter, the Appellant’s appeal to the Eighth District Court of Appeals was not timely. The Appellant cannot seek to bootstrap an appeal to the Ohio Supreme Court based upon an untimely appeal in the underlying court. The courts hold that “bootstrapping” is “the utilization of a subsequent order to indirectly and untimely appeal a prior order (which was never

directly appealed) is procedurally anomalous and inconsistent with the appellate rules which contemplate a direct relationship between the order from which the appeal is taken and the error assigned because of that order.” *Chapon v. Std. Contracting & Engineering*, 2007 WL 2391103 (8<sup>th</sup> Dist. No. 88959). App.R. 4(A) provides that a notice of appeal must be filed within thirty days of the date of entry of the judgment being appealed. The filing requirements for a notice of appeal are mandatory and absent strict compliance an appellate court is deprived of jurisdiction. *Ross v. Harden*, 8 Ohio App.3d 34 (10th Dist. 1982); *State ex rel. Scruggs v. Sadler*, 97 Ohio St.3d 78, (2002).

In this case, the trial court entered judgment in favor of Plaintiffs on June 28, 2017. The Appellant was required to file his appeal before July 28, 2017 in the Eighth District Court of Appeals. He failed to do so and the Eighth District Court of Appeals dismissed the appeal as untimely. This appeal should be summarily dismissed due to the Appellant’s failure to file a timely inferior appeal. To hold otherwise, allows parties to bootstrap appeals to the Supreme Court.

B. SOVEREIGN CITIZEN

This is not a case about a creditor being converted into a debtor and a court invalidating proper, legal liens. This is case about a sovereign citizen with an axe to grind filing fraudulent liens on a non-existent debt. The sovereign citizen movement and their illegal filings are universally discredited by the Courts. Courts hold that sovereign citizen theories are meritless and rejected. *United States v. McCaskill*, 48 Fed.Appx. 961 (6th Cir. 2002); *United States v. Sloan*, 939 F.2d 499 (7th Cir. 1991); *Payne v. Kilda*, No. 15-cv-14127, 2016 WL 491847 (E.D. Mich. Jan. 6, 2016); *United States v. Amir*, No. 1:10CR439, 2010 U.S. Dist., 2010 WL 5014451. Similarly, there is no such legal document as an “affidavit of truth.” See *Wells Fargo Bank, NA v. Parrish* 2015 -Ohio- 4045 (10th Dist. No. 15AP–243); *Matthews v. United States*, 2016 WL

2624974 (S.D., Ohio Case No. 3:16cv00148) *Jackson v. Lazaroff* 2017 WL 3098578 (N.D. Ohio 1:16CV2072). These pseudo legal documents are a fabrication and there is no obligation on the part of a recipient to respond. *Santiago v. Century 21/PHH Mtge.*, N.D.Ala. No. 1:12–CV–02792–KOB (Mar. 27, 2013). The “legal” concepts of the “sovereign citizen” have “no conceivable validity in American law.” *People of the Republic United States ex rel. Goldsmith v. Schreier*, No. CIV. 124155, 2012 WL 4088858, at \*4 (D.S.D. Sept.17, 2012);

The case at bar is prime example of the illegal tactics of sovereign citizens. Appellant refers to himself as Willie Coleman Ali-El, “One of the People, flesh and blood human, by Special Appearance, proceeding In Propria Persona Sui Juris Human Being.” Appellant changed his name to add “Ali-El”, because in Moorish<sup>6</sup> culture it is an elevated title. Appellant cites to admiralty law, apparently, because of the yellow fringe on the flag. Appellant files phony UCC liens<sup>7</sup> under made-up administrative common law. He claims that the laws of Ohio do not apply to him and the Courts have no jurisdiction. Appellant filed liens that do not exist, over a debt that does not exist, based upon an imaginary legal basis that does not exist. *Id.*; *Jackson*. As the Courts hold, sovereign citizen rhetoric carries no legal authority. *Id.* While Appellant claims the Covens are “influential debtors”, his arguments are nonsense. The Covens are not debtors and Appellant is not their creditor. The Court found Appellant liable because what he did was illegal, defamatory and injurious - nothing more. Appellant has failed to set forth any basis for the Court to accept jurisdiction.

### C. FREEDOM OF CONTRACT

While his brief is indecipherable, Appellant appears to make a freedom of contract argument in the initial portion of his brief. It is true that Article I, Section 10 of the U.S.

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<sup>6</sup> The Indigenous moors are part of the sovereign citizen grouping.

<sup>7</sup> [http://www.abajournal.com/magazine/article/sovereign\\_citizens\\_plaster\\_courts\\_with\\_bogus\\_legal\\_filings/](http://www.abajournal.com/magazine/article/sovereign_citizens_plaster_courts_with_bogus_legal_filings/)

Constitution states that no law shall be passed impairing the obligations of a contract; however, this case does not involve freedom of contract or any law impairing a contract. Appellants' arguments are inapplicable and no substantial constitutional issue is involved.

The underlying action stems from frivolous, illegal and harassing liens filed by Appellant, which are universally held invalid. *Bryant v. Washington Mut. Bank*, 524 F.Supp.2d 753, 760 (W.D.Va.2007); *United States v. Orrego*, No. 04-CV-0008SJ, 2004 WL 1447954 (E.D.N.Y. June 22, 2004); *State v. Few*, 2d Dist. Montgomery No. 25969, 2015-Ohio-2292. There was no valid contract between the parties. Appellant never brought a breach of contract lawsuit. Appellant never filed a counterclaim against the Covens. The court did not impair any alleged contract (none existed) and no law is implicated making any contract retroactively void. Freedom of contract is not at issue in this case and the Appellant's arguments are nonsensical.

#### D. FIRST AMENDMENT

Next, Appellant references section 3 of the First Amendment of the U.S. Constitution. As an initial matter, there is no Section 3 to the First Amendment. The First Amendment simply states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances." There is no First Amendment right implicated in this case.

This case involves the filing of false and malicious liens by Appellant. This case does not involve freedom of religion, the right to assemble or free speech. While Appellant randomly references the right to petition the government for redress of grievances, the Appellant offers no explanation as to how that language applies to this case. The Covens are left to guess what Appellant means. If, in theory, Appellant is complaining about the injunction against him, then

his argument is again meritless. The Courts commonly order injunctions against sovereign citizens prohibiting them from filing frivolous liens and actions. *United States v. Orrego*, No. 04–CV–0008SJ, 2004 WL 1447954 (E.D.N.Y. June 22, 2004); *United States v. Martin*, 356 F. Supp. 2d 621 (W.D. Va. 2005); *El-Bey v. City of Greensboro*, 2011 WL 4499168. It has never been deemed an abridgment of the first amendment, “to make a course of conduct illegal merely because the conduct was in part initiated, evidenced, or carried out by means of language, either spoken, written, or printed.” *Rumsfeld v. Forum for Acad. & Inst. Rights, Inc.*, 547 U.S. 47, 62 (2006). In fact, words can, “violate laws directed not against speech but against conduct.” *R.A.V. v. St. Paul*, 505 U.S. 377, 389 (1992). In discussing a statute that forbade the filing of frivolous liens, the 9<sup>th</sup> Circuit held that the law, “does not criminalize the filing of false liens or encumbrances simply because they contain false statements. **Instead, the statute regulates conduct (carried out, in part, by written words) intended to harm or intimidate** federal employees in the course of their government service.” *United States v. Neal*, 776 F.3d 645 (2015). The First Amendment does not protect fraudulent conduct. A party has no constitutional right to file false liens.

The Courts consistently use injunctions to prohibit the filing of false liens. In *United States v. Martin*, 356 F. Supp. 2d 621 (W.D. Va. 2005), the Court granted the request for civil injunctions and monetary damages against a defendant filing false liens. In *United States v. Orrego*, No. 04–CV–0008SJ, 2004 WL 1447954 (E.D.N.Y. June 22, 2004), the Court granted an injunction and an award of money damages in civil action against inmates who filed fraudulent liens against judge as retribution. In *United States v. Anderson*, No. 97C821, 1998 WL 704357 (N.D.Ill. Sept.25, 1998), the Court granted declaratory, injunctive and monetary relief against defendants who filed commercial liens against the judge, prosecutor, and his public

defender. Thus, the use of injunctions to prohibit the filing of abusive, baseless liens and/or UCC financing statements is well documented. *Orrego; Anderson; See Also, United States v. Gordon*, No. CV 205–158, 2005 WL 2237640 (S.D.Ga. Aug.25, 2005) (prisoners filed “facially absurd” liens and UCC financing statements designed to harass and intimidate officials); *Ray v. Williams*, No. CV–04–863–HU, 2005 WL 697041 (D.Or. Mar.24, 2005) (fraudulent scheme by which he filed false UCC filings against government officials seeking payment for unauthorized use of his copyrighted name); *United States v. Martin*, 356 F.Supp.2d 621 (W.D.Va.2005) (prisoner filed fraudulent UCC financing statements naming himself as the secured party for a \$108,000,000.00 debt owed him by various government officials); *United States v. Stouder*, No. 3:04–1044, 2005 WL 2715666 (M.D.Tenn. Sept.2, 2005) (prisoner filed fraudulent UCC financing statements in the amount of \$300,000,000.00). The United States Supreme Court held that the government certainly has a legitimate purpose in preventing such behavior. *Overton v. Bazzetta*, 539 U.S. 126, 133 (2003). The Covens were and are entitled to injunctive relief prohibiting Appellant from filing these false, defamatory liens and it does not violate any purported first amendment right to prohibit illegal “conduct.” The injunction does not forbid speech; it forbids illegal, sham conduct.

#### D. DUE PROCESS

In his brief, the Appellant also makes random references to the due process clause. It is again completely unclear what Appellant is attempting to argue in his brief. The due process clause states, “nor shall any state deprive any person of life, liberty, or property, without due process of law...” 14th Amend. U.S. Constit. However, due process **does** allow the courts to deprive a person of liberty or property when provided with notice and an opportunity to be heard. Here, there was due process. This matter was a civil action, not criminal. Appellant was properly

served with the Complaint, filed responses, provided notice, made arguments, sought to remove the case to federal court and appeared at numerous hearings, including the trial. Appellant was present at trial and represented by counsel. He had both notice and an opportunity to be heard. There is no discernible due process issue alleged or referenced.

Appellant also makes references to a separate criminal case against him. This appeal relates to this civil case, not any criminal case. However, contrary to Appellant's misguided beliefs, the same conduct can be the subject of two actions: one civil; and one criminal. If, for example, a defendant was speeding and hit a person with his car, he could be charged by the State for a criminal violation and the injured party could also sue in civil court for a personal injury claim. The actions are not mutually exclusive. The same concept applies to this matter. It does not invoke any constitutional right.

#### E APPELLANT'S CITATIONS

In his brief, Appellant cites to random, disparate bodies of law, including references to admiralty law and agricultural liens. Of course, admiralty law has no bearing whatsoever on this case. Admiralty law or maritime law is a distinct body of law that governs "marine commerce and navigation, to business transacted at sea... to ships and shipping, to seamen... and to marine affairs..." *Black's Law Dictionary*, Abridged 6<sup>th</sup> Ed., p. 668. In this case, no events occurred at sea, the fake liens do not relate to a boat and the parties are not sailors.

Appellant also makes an odd reference to agricultural liens. Agricultural liens involve, "an interest in farm products (such as wheat, corn, or soybeans or livestock) that secures payment or performance of an obligation for goods, services, or rental on real property that an individual

or organization leases in connection with farming operations....”<sup>8</sup> Clearly, the parties at issue are not farmers or involved in farming operations. Appellant’s citations are nonsensical.

Appellant cites several times to *Melling v. Scott* 2016 WL 196956, 2016-Ohio-11 in the mistaken belief that it supports his arguments. However, that case does not support Appellant - it supports the Covens. *Melling* involved a person who, like Appellant, filed illegal liens against parties. The trial court erroneously dismissed the injured parties’ case. On appeal, the Eighth District reversed the improper dismissal holding that “Appellants have alleged Scott engaged in a campaign to harass them through the filings of various false liens, judgments, and claims. Federal courts have found similar filings to constitute irreparable harm justifying declaratory and injunctive relief. **The irreparable harm of frivolous liens and claims indicates that speedy relief is necessary** to relieve appellants of the detrimental effects these liens have on them and their property.” (emphasis added). Thus, *Melling* supports the Covens by holding that the filing of frivolous liens demonstrates the need for immediate injunctive relief. There is no legal conflict in the Eighth District and Appellant’s reliance on *Melling* is terribly misguided.

Finally, Appellant claims that Covens should have brought a vexatious litigation claim against them. The Covens properly brought an action seeking injunctive relief to restrain Appellant from filing further false UCC liens. The Covens did not contemplate bringing a vexatious litigation claim because Appellant’s conduct primarily involved filing UCC liens - not lawsuits. Thus, the vexatious litigation statute was inapplicable. The Covens properly filed suit for injunctive relief, violation of the UCC and slander of title (among other claims). Appellant has set forth no issue of public interest of great general interest.

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<sup>8</sup> [https://www.law.cornell.edu/wex/agricultural\\_lien](https://www.law.cornell.edu/wex/agricultural_lien).



V. CONCLUSION

As set forth herein above, this Court should deny jurisdiction. Appellant has set forth no proper basis for this Court to accept jurisdiction. Appellant has presented no argument on an issue of public or great general interest. Appellant was provided due process and no constitutional right was affected. Rather, Appellant simply continues his pattern of bizarre and harassing behavior. This is a game for Appellant, plain and simple. In Appellant's imaginary world, he is a sovereign citizen, he is above the law, he can file false liens and he is a creditor over a nonexistent debt; however, this is the real world. In the real world, actions have consequences. When the actions are illegal, like Appellant's, there are serious consequences. Appellant was warned repeatedly to stop, but he refused. Appellant chose to harass the Covens. Appellant chose to file fraudulent, defamatory UCC liens with government offices. Appellant chose to threaten to levy upon the Covens' property. Now that the Appellant's choices have caught up to him, he pleads for help. He seeks review from the Ohio Supreme Court, a court that he ironically claims has no jurisdiction or authority, but Appellant has set forth no basis for this Court to accept jurisdiction.

As set forth above, Appellant's actions are "clearly nonsense", "legal fiction" "meritless", "undeserving" "indisputably meritless" and "frivolous." *See Bryant; Santiago; Few; Ward; Eidon.* The Covens respectfully request that this Court refuse jurisdiction and bring this matter to a conclusion once and for all.

Respectfully submitted,

/s/Michael R. Stavnicky

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CERTIFICATE OF SERVICE

A copy of the foregoing was served by regular mail, email or electronic service by the Court, where applicable, this 26<sup>th</sup> day of October 2017 upon:

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/s/Michael R. Stavnicky