

**AN OPEN LETTER AND DISCIPLINARY COMPLAINT TO THE ATTENTION OF  
THE NEW JERSEY SUPREME COURT**

January 5, 2015

Honorable Stuart Rabner,  
Chief Justice  
The Supreme Court of New Jersey  
Richard J. Hughes Justice Complex  
25 Market Street P.O. Box 023  
Trenton, New Jersey 08625-0023  
Certified # 7013 2250 0001 1556 2899

**RE: HALT FORECLOSURES FILED OUTSIDE THE STATUTE OF LIMITATIONS**

Dear Chief Justice Rabner:

A recent decision by Bankruptcy Judge Michael B. Kaplan has revealed an ongoing and fraudulent abuse of the legal process by banks and their legal representatives.

Below is a summary and application of the well-reasoned, clear, and methodical analysis contained in *In re Gordon A. Washington* (Gordon A. Washington v. Specialized Loan Servicing, LLC, and The Bank of New York Mellon, Case No. 14-14573-TBA, Adv. Pro. No. 14-01319-TBA; US Bankruptcy Court New Jersey District; Decision -November 5, 2014) ---

N.J.S.A. § 12A:3-118(a) and N.J.S.A. § 2A:50-56.1(a) and (c), require that a foreclosure Complaint in New Jersey is filed within the six (6) year Statute of Limitations that commences with the acceleration of the Note, based upon the default date.

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Banks certainly can count to 6, but throughout New Jersey and nationwide they and their legal representatives have intentionally and systematically used and misused RMBS (Residential Mortgage Backed Securities) and other types of fraud, as mechanisms to confuse homeowners

and the Courts, while ignoring the Statute of Limitations in states that have the shorter filing periods.

Predatory banks have adopted a “Catch-Me-If-You-Can” modus operandi. It is common knowledge that 95% or more of homeowners served with foreclosure filings make no response. Thus the risk of discovering out of time filings is minimal. It is therefore incumbent upon this Court to identify the actual cases of recent and existing foreclosure filings that are void because they were filed outside the applicable New Jersey Statute of Limitations. Homeowners whose property has been fraudulently foreclosed and sold, etc., since August 6, 2009 should be adequately compensated for their losses. (August 6, 2009 is the effective date of the passage of N.J.S.A. § 2A:50-56.1(a)) Moreover, Attorneys demonstrating a pattern and practice of such malicious prosecution and abuse of the legal process, should be sanctioned.

[See various postings regarding #DEEP6FRAUD on --

[www.HurtingHomeOwners.com](http://www.HurtingHomeOwners.com) and [www.Twitter.com/HurtinHomeOwner](http://www.Twitter.com/HurtinHomeOwner) ]

Please investigate and correct these illegal misdeeds and egregious violations of the public trust, by demanding that banks amend their practices while making restitution to all defrauded homeowners.

If I can be of further assistance, feel free to contact me.

Sincerely,

Carolyn Bailey

<http://HurtingHomeOwners.com>

<http://Twitter.com/HurtinHomeOwner>

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cc: Eric H. Holder, Attorney General [Certified # 7013 2250 0001 1556 2943]  
Paul J. Fishman, US Attorney, New Jersey [Certified # 7013 2250 0001 1556 2950]  
John Jay Hoffman, Acting New Jersey State Attorney General  
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*“The eyes of the Lord are in every place, beholding the evil and the good.”* Proverbs 15:3