Case Assignment
Standard Civil Assignment

Case number **3:25CV-271-GNS**

Assigned : Chief Judge Greg N. Stivers
Judge Code : 4416

Assigned on 5/12/2025 9:52:08 AM
Transaction ID: 111313

Request New Judge Return

No Fee
No Summons S
No IFP

United States District Court

WESTERN DISTRICT OF KENTUCKY

Daniel J. Feldman, Plaintiff

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, et al., Defendant(s)

NON-PRISONER APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES AND AFFIDAVIT

CASE NUMBER: 3:25-CV-271-GNS

I, Daniel J. Feldman, swear or affirm under penalty of perjury that I am the (check appropriate box)

☒ petitioner/plaintiff/movant ☐ other _____

in the above-named proceeding, that I am unable to pay the costs of these proceedings, and that I believe I am entitled to the relief sought in the complaint/petition/motion. I further swear or affirm under penalty of perjury under United States laws that my answers on this form and any attachments are true and correct.

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0", "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name and the question number.

NOTE: You should be prepared to provide the Court with copies of documents that support or verify all your answers to the questions in this application.

Signed: Daniel J. Feldman Date: May 12, 2025

Print your Name: Daniel J. Feldman

1. State the address of your legal residence 8809 Denington Dr, Louisville, KY 40222

Your daytime phone number: +1 (307) 699-3223

2. For both you and your spouse, estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, bi-weekly, quarterly, semi-annually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income Source	Average monthly amount during the past 12 months		Amount expected next month	
	YOU	SPOUSE	YOU	SPOUSE
Employment	$ 0	$	$ 0	$
Self-employment	$ 0	$	$ 0	$
Income from real property (such as rental income)	$ 0	$	$ 0	$
Interest & dividends	$ 0	$	$ 0	$

Income Source	Average monthly amount during the past 12 months		Amount expected next month	
	YOU	SPOUSE	YOU	SPOUSE
Gifts or Inheritance	$ 0	$	$ 0	$
Alimony	$ 0	$	$ 0	$
Child support	$ 0	$	$ 0	$
Retirement (such as social security, pensions, annuities, insurance)	$ 0	$	$ 0	$
Disability (such as social security, insurance payments)	$ 3,000	$	$ 3,000	$
Unemployment payments	$ 0	$	$ 0	$
Public assistance (such as welfare)	$ 0	$	$ 0	$
Other (specify) _____ _____	$ 0	$	$ 0	$
Total Monthly Income	$ 3,000	$	$ 3,000	$

3. Are you currently employed? ☐ Yes ☒ No
   Is your spouse currently employed? ☐ Yes ☐ No

4. List your employment history, current or, if you are not currently employed, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

	Employer	Address	Dates of Employment	Gross Monthly Pay
a.	Bristol Myers Squibb	Plainsboro, NJ	2008-2012	$ 30,000
b.	Rutgers Business School	Newark, NJ	2009-2012	$ 2,000
c.	Novartis Laboratories	Madison, NJ	2005-2008	$ 15,000

List your spouse's employment history, current or, if your spouse is not currently employed, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

	Employer	Address	Dates of Employment	Gross Monthly Pay
a.				$
b.				$
c.				$

6. How much cash do you and your spouse have? $ $11000
Below, state any money you or your spouse have in checking or savings accounts or in any other financial institution.

	Financial Institution	Type of Account	Amount You Have	Amount Your Spouse Has
a.	SoFi	Checking	$ 2000	$
b.	SoFi	Savings	$ 8700	$
c.			$	$

7. List the assets, and their values, that you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Asset	Description	Value
a. Home		$ 0
b. Real Estate		$ 0
c. Motor Vehicle	Make & Year: Model: Registration #:	$ 0
d. Motor Vehicle	Make & Year: Model: Registration #:	$ 0
e. Other Assets (for example, stocks, bonds, securities or other financial instruments)		$ 1,500
f. Other Assets		$ 0

8. State every person, business, or organization owing you or your spouse money, and the amount owed.

	Who owes you or your spouse money?	Amount owed to you	Amount owed to your spouse
a.	SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, et al.	$ 4,500	$
b.		$	$
c.		$	$
d.		$	$

9. State the persons who rely on you or your spouse for support.

	Name	Relationship	Age	Amount Contributed Monthly for His/Her Support
a.				$
b.				$
c.				$
d.				$

10. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any amount that was received weekly, bi-weekly, quarterly, semi-annually, or annually to show the monthly rate.

Expense	You	Your Spouse
Rent or home mortgage payment (include lot rented for mobile home)	$ 2,200	$
Are real estate taxes included? ☐ Yes ☒ No Is property insurance included? ☐ Yes ☒ No		
Utilities (electricity, heating fuel, water, sewer, telephone)	$ 300	$
Home maintenance (repairs and upkeep)	$ 30	$
Food	$ 300	$
Clothing	$ 10	$
Laundry and dry cleaning	$ 10	$
Medical and dental expenses	$ 200	$
Transportation (not including motor vehicle payments)	$ 200	$
Recreation, entertainment, newspapers, magazines, etc.	$ 100	$

Expense	You	Your Spouse
Insurance (not deducted from wages or included in mortgage payments.		
Homeowner's or renters:	$ 0	$
Life:	$ 0	$
Health:	$ 0	$
Motor Vehicle:	$ 0	$
Other:	$ 0	$
Taxes (not deducted from wages or included in mortgage payments)(specify):	$ 0	$
Installment payments		
Motor Vehicle:	$ 0	$
Credit Card(s) (name):	$ 0	$
Department Store (name):	$ 0	$
Other:	$ 0	$
Alimony, maintenance, and support paid to others	$ 0	$
Regular expenses for the operation of business, profession, or farm (attach detailed statement)	$ 0	$
Other (specify):	$ 0	$
TOTAL MONTHLY EXPENSES	$ 3,350	$

11. Do you expect any major changes to your or your spouse's monthly income or expenses, or in your or your spouse's assets or liabilities during the next 12 months? ☐ Yes ☒ No
If yes, describe on an attached sheet.

12. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? ☐ Yes ☒ No
If yes, how much? $ _____
If yes, state the attorney's name, address and telephone number:
_____
_____

13. Have you paid – or will you be paying – anyone other than an attorney (such as a paralegal or typist) any money for services with this case, including the completion of this form? ☐ Yes ☒ No
If yes, how much? $ _____
If yes, state the person's name, address and telephone number:
_____
_____

14. Provide any other information that will help explain why you cannot, or cannot without undue hardship, pay the fees or costs for this case.

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF KENTUCKY

_____

Petitioner/Plaintiff

-against-

____ Civ. _____ (____)

_____

_____ Respondent/Defendant

PROPOSED ORDER

The petitioner's motion for in forma pauperis (I.F.P.) is granted. The filing fee is waived.

So Ordered:

_____

Dated: _____

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

Daniel J. Feldman

Plaintiff

v.

Jayson Frew

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Jayson Frew
13652 Aragon Way Apt 417
Louisville, KY 40245

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel J. Feldman
8809 Denington Dr.
Louisville, KY 40222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____

_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

_____, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____

Server's signature

_____

Printed name and title

_____

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

Daniel J. Feldman

Plaintiff

SREIT IVY Louisville, LLC d/b/a The Ivy Apartment Homes

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

SREIT IVY Louisville, LLC
d/b/a The Ivy Apartment Homes
c/o Michelle Rawn, Esq
Rawn Law Firm PLLC
10000 Shelbyville Rd Suite 200
Louisville, KY 40223

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel J. Feldman
8809 Denington Dr.
Louisville, KY 40222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____

_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

_____, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____

Server's signature

_____

Printed name and title

_____

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

Daniel J. Feldman

Plaintiff

v.

Highmark Residential, LLC

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Highmark Residential, LLC
c/o Michelle Rawn, Esq
Rawn Law Firm PLLC
10000 Shelbyville Rd Suite 200
Louisville, KY 40223

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel J. Feldman
8809 Denington Dr.
Louisville, KY 40222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____

_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

_____, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____

Server's signature

_____

Printed name and title

_____

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

Daniel J. Feldman

Plaintiff

v.

Rawn Law Firm, PLLC

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Michelle Rawn, Esq
Rawn Law Firm PLLC
10000 Shelbyville Rd Suite 200
Louisville, KY 40223

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel J. Feldman
8809 Denington Dr.
Louisville, KY 40222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____

_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

_____, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____

Server's signature

_____

Printed name and title

_____

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

Daniel J. Feldman

Plaintiff

v.

Michelle Rawn, Esq.

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Michelle Rawn, Esq
Rawn Law Firm PLLC
10000 Shelbyville Rd Suite 200
Louisville, KY 40223

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel J. Feldman
8809 Denington Dr.
Louisville, KY 40222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____

_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

_____, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____

Server's signature

_____

Printed name and title

_____

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

Daniel J. Feldman

Plaintiff

v.

John R. Benz, Esq

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

John R. Benz, Esq
Rawn Law Firm PLLC
10000 Shelbyville Rd Suite 200
Louisville, KY 40223

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel J. Feldman
8809 Denington Dr.
Louisville, KY 40222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____

_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

_____, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____

Server's signature

_____

Printed name and title

_____

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

Daniel J. Feldman

Plaintiff

v.

Ashley Lemons

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Ashley Lemons
c/o Michelle Rawn, Esq
Rawn Law Firm PLLC
10000 Shelbyville Rd Suite 200
Louisville, KY 40223

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel J. Feldman
8809 Denington Dr.
Louisville, KY 40222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____

_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

_____, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____

Server's signature

_____

Printed name and title

_____

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

Daniel J. Feldman

Plaintiff

v.

Alfredo Carballo

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Alfredo Carballo
c/o Michelle Rawn, Esq
Rawn Law Firm PLLC
10000 Shelbyville Rd Suite 200
Louisville, KY 40223

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel J. Feldman
8809 Denington Dr.
Louisville, KY 40222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____

_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

_____, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____

Server's signature

_____

Printed name and title

_____

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

Daniel J. Feldman

Plaintiff

v.

Christian Blake Heath

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Christian Blake Heath
c/o Michelle Rawn, Esq
Rawn Law Firm PLLC
10000 Shelbyville Rd Suite 200
Louisville, KY 40223

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel J. Feldman
8809 Denington Dr.
Louisville, KY 40222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____

_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

_____, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____

Server's signature

_____

Printed name and title

_____

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

Daniel J. Feldman

Plaintiff

v.

Jarmel "Mel" Hopson

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Jarmel "Mel" Hopson
c/o Michelle Rawn, Esq
Rawn Law Firm PLLC
10000 Shelbyville Rd Suite 200
Louisville, KY 40223

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel J. Feldman
8809 Denington Dr.
Louisville, KY 40222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____

_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

_____, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____

Server's signature

_____

Printed name and title

_____

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

Daniel J. Feldman

Plaintiff

v.

Jason Whitehouse

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Jason Whitehouse
c/o Michelle Rawn, Esq
Rawn Law Firm PLLC
10000 Shelbyville Rd Suite 200
Louisville, KY 40223

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel J. Feldman
8809 Denington Dr.
Louisville, KY 40222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____

_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

_____, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____

Server's signature

_____

Printed name and title

_____

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Kentucky

Daniel J. Feldman

Plaintiff

v.

Mary Beth Woodard

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Mary Beth Woodard
c/o Michelle Rawn, Esq
Rawn Law Firm PLLC
10000 Shelbyville Rd Suite 200
Louisville, KY 40223

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel J. Feldman
8809 Denington Dr.
Louisville, KY 40222

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____

was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____

_____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

_____, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is

designated by law to accept service of process on behalf of *(name of organization)* _____

_____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*:

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____

Server's signature

_____

Printed name and title

_____

Server's address

Additional information regarding attempted service, etc:

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE:

Judge:

Filed: May 12, 2025

EXHIBIT PACKET (PLACEHOLDER)

AND TABLE OF CONTENTS FOR OVER

400 PAGES OF FILED DOCUMENTS

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF KENTUCKY:

- **EXHIBIT PACKET (PLACEHOLDER)**

  Filed in Support of: Emergency Notice of Removal and Motion for TRO

  Case: Feldman v. SREIT IVY LOUISVILLE, LLC, et al.

  U.S. District Court for the Western District of Kentucky

  Date: May 13, 2025

- ---

- This Exhibit Packet includes a Table of Contents detailing all filings, motions, and court records previously submitted in the following related state actions:
- **Jefferson Circuit Court Case No. 25-CI-002530**
- **Jefferson District Court Case No. 25-C-003961**
- Due to procedural restrictions and Plaintiff's current hospitalization, the full exhibit set **cannot yet be electronically filed**. Plaintiff respectfully submits this Table of Contents as a placeholder and will promptly upload the full Exhibit Packet in electronic format **upon assignment of a federal case number and ECF login access**.
- Plaintiff requests that the Court accept this preliminary filing and allow supplemental submission once ECF access is granted. The electronic file was electronically served to all parties.
- The Table of Contents for all filings is as follows:

TABLE OF CONTENTS FOR

ALL FILINGS IN RELATED CASES 25-CI-002530 AND 25-C-003961

📘 **DOCUMENT 4: Sworn Declaration in Support of TRO**
Filed: March 31, 2025

- Declaration of Medical Disability – PDF 16, 1 – ♦¶1
- Nonpayment Entrapment Tactics – PDF 17, 2 – ♦¶3
- Permanent Vision Loss & HIV Risk – PDF 17, 2 – ♦¶4
- Whistleblower Retaliation & Housing Harm – PDF 17, 2 – ♦¶6
- Fraud by Prior Landlord – PDF 17, 2 – ♦¶6
- Damages Claim Exceeding $1M – PDF 17, 2 – ♦¶8
- Request for TRO to Preserve Rights – PDF 17, 2 – ♦¶9
- Verification – PDF 18, 3 – ♦¶10

📘 **DOCUMENT 5: Remote Appearance Request for TRO**
Filed: March 31, 2025

- ADA Basis for Remote Appearance – PDF 19, 1 – ♦¶13
- Technical Compliance (Zoom Access) – PDF 20, 2 – ♦¶5

📘 **DOCUMENT 6: [Proposed] Temporary Restraining Order**
Filed: March 31, 2025

- Findings of Irreparable Harm – PDF 21, 1 – ♦¶15
- TRO Scope: Eviction Prohibition & Storage Protection – PDF 22, 2 – ♦¶1
- Duration of Order – PDF 22, 2 – ♦¶22
- Scheduling Clause for Hearing – PDF 22, 2 – ♦¶25
- Judicial Signature Line – PDF 22, 2 – ♦¶26

📘 **DOCUMENT 7: Notice of TRO Application & Ex Parte Service**
Filed: March 31, 2025

- Notice of TRO Service & Filing – PDF 23, 1 – ♦¶6
- Advance Notice to Opposing Counsel – PDF 24, 2 – ♦¶3
- Verification – PDF 25, 3 – ♦¶6

📘 **DOCUMENT 8: Proof of Service for TRO Application**
Filed: March 31, 2025

- Draft & Final TRO Sent to Opposing Counsel – PDF 26, 1 – ♦¶1
- Verified Electronic Service to Rawn Law – PDF 27, 2 – ♦¶2
- Good Faith Compliance Declaration – PDF 27, 2 – ♦¶4
- Verification – PDF 27, 2 – ♦¶5

📘 **DOCUMENT 9: Eviction Complaint Filed by Highmark**
Filed: April 1, 2025
• Forcible Detainer Complaint Form (District Court) – PDF 28, 1 – ▪¶1
• Rent Default for March 2025 – PDF 28, 1 – ▪¶3
• Eviction Demand & Lease Violation Allegations – PDF 28, 1 – ▪¶4

📘 **DOCUMENT 10: Eviction Notice & Court Hearing Scheduling**
Filed: April 1, 2025
• Notice of Trial Date: May 13, 2025 – PDF 29, 1 – ▪¶1
• Summons Served on Tenant – PDF 29, 1 – ▪¶2
• Sheriff's Certificate of Posting – PDF 29, 1 – ▪¶3

📘 **DOCUMENT 11: Proposed Judgment – Forcible Detainer Ruling**
Filed: April 1, 2025
• Guilty Finding of Forcible Detainer – PDF 30, 1 – ▪¶1
• Restitution of Premises Ordered – PDF 30, 1 – ▪¶2
• Judgment to Vacate in 7 Days – PDF 30, 1 – ▪¶3

📘 **DOCUMENT 12: Supplemental Declaration to Support TRO**
Filed: April 7, 2025
• Introduction and Declaration Scope – PDF 31, 1 – ♦¶1
• Exhibit A – HUD Complaint (with attachments) – PDF 39, 9 – ♦¶10
• Exhibit B – Eviction Complaint Filed April 1 – PDF 128, 98 – ♦¶11
• Exhibit C – Plaintiff Email Rejecting Offer – PDF 130, 100 – ♦¶14
• Lease Obstruction and Nonpayment Setup – PDF 131, 101 – ♦¶15
• Retaliatory Eviction Pattern & History – PDF 134, 104 – ♦¶16
• Medical Harm and Civil Rights Violations – PDF 135, 105 – ♦¶17
• Request for Sanctions & TRO – PDF 137, 107 – ♦¶19
• Proposed Order Filing – PDF 138, 108 – ♦¶20
• Points and Authorities – Retaliation, ADA, Civil Code – PDF 139, 109 – ♦¶21
• Case Law Citations – TRO & Housing Claims – PDF 140, 110 – ♦¶22
• Conclusion and Verification – PDF 158, 128 – ♦¶23

📘 **DOCUMENT 35: Sworn Declaration of Defendant**

Filed: May 2, 2025

- Identity & Contact Info – PDF 427, ¶1
- ADA Barriers in Court – PDF 427, ¶3
- Clerk/Coordinator Communications – PDF 428, ¶12
- Verified Factual Declaration – PDF 428, ¶18
- Retaliation and Medical Denial – PDF 429, ¶25
- Filing History Cross-Reference – PDF 430, ¶40
- Prayer for Relief – PDF 430, ¶45
- Final Verification – PDF 431, ¶50

📘 **DOCUMENT 36: Affidavit of Jo Anne Feldman**

Filed: May 2, 2025

- Declarant Identity & Relationship to Plaintiff – PDF 431, 1 – ♦¶1
- Chronology of Filing Assistance & Court Visits – PDF 431, 1 – ♦¶7
- Statement of Disability and Physical Strain – PDF 432, 2 – ♦¶13
- Observations of Court Access Issues – PDF 432, 2 – ♦¶19
- Verification and Affirmation – PDF 432, 2 – ♦¶24

📘 **DOCUMENT 37: Motion for Remote Appearance and ADA Accommodation**

Filed: May 2, 2025

- Request for Video Access Due to Disability – PDF 438, 1 – ♦¶1
- Summary of Prior ADA Requests – PDF 438, 1 – ♦¶7
- Cited Statutes: ADA Title II & Local Rules – PDF 439, 2 – ♦¶16
- Request for Email Filing & Notice Rights – PDF 439, 2 – ♦¶26
- Relief Sought – PDF 439, 2 – ♦¶36
- Signature & Verification – PDF 439, 2 – ♦¶45

📘 **DOCUMENT 38: [Proposed] Order – Dismissal with Prejudice**

Filed: May 2, 2025

- Court Order Text (CR 12.02 Grounds) – PDF 440, 1 –
- Findings on Jurisdiction, Sanctions, and Dismissal – PDF 440, 1 –
- Judge Signature Line – PDF 440, 1 –

📘 **DOCUMENT 39: [Proposed] Order – CR 11 Sanctions**
Filed: May 2, 2025

- Order to Impose CR 11 Sanctions – PDF 441, 1 –
- Defendant's Cost Affidavit & Relief Request – PDF 441, 1 –
- Signature Line – PDF 441, 1 –

📘 **DOCUMENT 40: [Proposed] Order – ADA Remote Appearance**
Filed: May 2, 2025

- Order Allowing Zoom Appearances – PDF 443, 1 –
- Service Accommodations & E-Filing Rights – PDF 443, 1 –
- Signature Line – PDF 443, 1 –

📘 **DOCUMENT 41: Notice of Filing – May 2 Defense Packet**
Filed: May 2, 2025

- Index of Attached Motions & Orders – PDF 445, 1 – ♦¶1

📘 **DOCUMENT 42: Proof of Service – May 2 Filing Packet**
Filed: May 2, 2025

- Certification of Email and Physical Delivery – PDF 447, 1 – ♦¶1
- Date, Method, and Recipient List – PDF 447, 1 – ♦¶10
- Signature and Final Page – PDF 447, 1 – ♦¶20

Respectfully submitted,

Daniel J. Feldman, Ph.D. Date: May 12, 2025

8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
Plaintiff, Pro Se

JS 44 (Rev. 03/24)

CIVIL COVER SHEET

3:25CV-271-GNS

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

Daniel J. Feldman

(b) County of Residence of First Listed Plaintiff JEFFERSON COUNTY
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

PRO SE

FILED
JAMES J. VILT, JR. - CLERK
MAY 12 2025
U.S. DISTRICT COURT
WEST'N. DIST. KENTUCKY

DEFENDANTS Sreit Ivy Louisville, Llc, D/B/A The Ivy Apartment Homes, Highmark Residential, LLC Rawn Law Firm, PLLC, Ashley Lemons, Alfredo Carballo, Christian Blake Heath, Jarmel "Mel" Hopson, Jason Whitehouse, Mary Beth Woodard, John R. Benz, Esq., Michelle Rawn, Esq., Jayson Frew, John Does 1–3

County of Residence of First Listed Defendant JEFFERSON COUNTY
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

MICHELLE RAWN, JOHN BENZ

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question *(U.S. Government Not a Party)*
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	☐ 625 Drug Related Seizure of Property 21 USC 881	☐ 422 Appeal 28 USC 158	☐ 375 False Claims Act
☐ 120 Marine	☐ 310 Airplane	☐ 365 Personal Injury - Product Liability	☐ 690 Other	☐ 423 Withdrawal 28 USC 157	☐ 376 Qui Tam (31 USC 3729(a))
☐ 130 Miller Act	☐ 315 Airplane Product Liability	☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability		INTELLECTUAL PROPERTY RIGHTS	☐ 400 State Reapportionment
☐ 140 Negotiable Instrument	☐ 320 Assault, Libel & Slander	☐ 368 Asbestos Personal Injury Product Liability		☐ 820 Copyrights	☐ 410 Antitrust
☐ 150 Recovery of Overpayment & Enforcement of Judgment	☐ 330 Federal Employers' Liability	PERSONAL PROPERTY	LABOR	☐ 830 Patent	☐ 430 Banks and Banking
☐ 151 Medicare Act	☐ 340 Marine	☐ 370 Other Fraud	☐ 710 Fair Labor Standards Act	☐ 835 Patent - Abbreviated New Drug Application	☐ 450 Commerce
☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)	☐ 345 Marine Product Liability	☐ 371 Truth in Lending	☐ 720 Labor/Management Relations	☐ 840 Trademark	☐ 460 Deportation
☐ 153 Recovery of Overpayment of Veteran's Benefits	☐ 350 Motor Vehicle	☐ 380 Other Personal Property Damage	☐ 740 Railway Labor Act	☐ 880 Defend Trade Secrets Act of 2016	☐ 470 Racketeer Influenced and Corrupt Organizations
☐ 160 Stockholders' Suits	☐ 355 Motor Vehicle Product Liability	☐ 385 Property Damage Product Liability	☐ 751 Family and Medical Leave Act	SOCIAL SECURITY	☐ 480 Consumer Credit (15 USC 1681 or 1692)
☐ 190 Other Contract	☐ 360 Other Personal Injury		☐ 790 Other Labor Litigation	☐ 861 HIA (1395ff)	☐ 485 Telephone Consumer Protection Act
☐ 195 Contract Product Liability	☐ 362 Personal Injury - Medical Malpractice		☐ 791 Employee Retirement Income Security Act	☐ 862 Black Lung (923)	☐ 490 Cable/Sat TV
☐ 196 Franchise				☐ 863 DIWC/DIWW (405(g))	☐ 850 Securities/Commodities/ Exchange
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	IMMIGRATION	☐ 864 SSID Title XVI	☐ 890 Other Statutory Actions
☐ 210 Land Condemnation	☒ 440 Other Civil Rights	Habeas Corpus:	☐ 462 Naturalization Application	☐ 865 RSI (405(g))	☐ 891 Agricultural Acts
☐ 220 Foreclosure	☐ 441 Voting	☐ 463 Alien Detainee	☐ 465 Other Immigration Actions	FEDERAL TAX SUITS	☐ 893 Environmental Matters
☐ 230 Rent Lease & Ejectment	☐ 442 Employment	☐ 510 Motions to Vacate Sentence		☐ 870 Taxes (U.S. Plaintiff or Defendant)	☐ 895 Freedom of Information Act
☐ 240 Torts to Land	☐ 443 Housing/ Accommodations	☐ 530 General		☐ 871 IRS—Third Party 26 USC 7609	☐ 896 Arbitration
☐ 245 Tort Product Liability	☐ 445 Amer. w/Disabilities - Employment	☐ 535 Death Penalty			☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
☐ 290 All Other Real Property	☐ 446 Amer. w/Disabilities - Other	Other:			☐ 950 Constitutionality of State Statutes
	☐ 448 Education	☐ 540 Mandamus & Other			
		☐ 550 Civil Rights			
		☐ 555 Prison Condition			
		☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN *(Place an "X" in One Box Only)*

☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District *(specify)* ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
28 U.S.C. § 1441; 28 U.S.C. § 1443 – Due Process, ADA, Civil Rights

Brief description of cause:
28 U.S.C. §§ 1331, 1441, 1443 – Civil rights removal; 42 U.S.C. § 12132 (ADA); U.S. Const. Amend. XIV – Due Process & Equal Protection

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND $ preliminary injunction

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY *(See instructions)*:

JUDGE _____ DOCKET NUMBER _____

DATE
May 12, 2025

SIGNATURE OF ATTORNEY OF RECORD
Daniel J. Feldman

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE:

Judge:

Filed: May 12, 2025

EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND REQUEST FOR STAY OF STATE PROCEEDINGS

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF KENTUCKY:

EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND STAY OF STATE COURT PROCEEDINGS

Plaintiff, appearing pro se, respectfully moves this Honorable Court pursuant to Rule 65 of the Federal Rules of Civil Procedure for an immediate Temporary Restraining Order and a stay of all proceedings in Jefferson District and Circuit Courts, to prevent imminent and irreparable harm.

I. FACTUAL BACKGROUND

1. Plaintiff is currently hospitalized following a **stroke** resulting from delayed access to essential medication, which Plaintiff sought through prior state court motions.
2. Plaintiff is physically unable to attend the **state court eviction hearing scheduled for Tuesday**, May 13, 2025, in Jefferson District Court.
3. Plaintiff previously filed verified emergency motions in Jefferson Circuit Court and District Court, requesting ADA accommodations, restraining orders, and access to medication. These filings were disregarded or procedurally blocked.
4. The **state court's failure to review filings**, coupled with procedural disparities between represented and unrepresented litigants, created a barrier to justice and contributed directly to Plaintiff’s medical emergency.
5. Plaintiff has now removed these state cases to this Court and seeks immediate federal protection under 28 U.S.C. §§ 1331, 1441, 1443, and Rule 65.

II. GROUNDS FOR EMERGENCY RELIEF

- Plaintiff's due process rights have been violated through:
    - Denial of access to court
    - Failure to accommodate under the Americans with Disabilities Act
    - Discriminatory e-filing rules favoring represented parties
- Plaintiff faces **irreparable harm** from eviction while hospitalized and unable to attend court
- A true and correct copy of Plaintiff’s medical record confirming ongoing hospitalization and stroke is attached hereto as Exhibit A.

III. RELIEF REQUESTED

Plaintiff respectfully requests that this Court:

1. **Issue an immediate Temporary Restraining Order** enjoining Defendants and state courts from proceeding with any eviction or enforcement action;
2. **Stay all state proceedings** in Jefferson District and Circuit Courts;
3. Grant Plaintiff leave to appear remotely or be excused from hearings during hospitalization;
4. Schedule an emergency hearing via teleconference, as Plaintiff is currently under care.

Respectfully submitted,

Verification

I, Daniel J. Feldman, declare under penalty of perjury under the laws of the Commonwealth of Kentucky that the foregoing Notice is true and correct to the best of my knowledge.

Executed on May 12, 2025.

Daniel J. Feldman, Ph.D.

8809 Denington Dr

Louisville, KY 40222

danieljfeldmanphd@gmail.com

+1 (307) 699-3223

Plaintiff, Pro Se

EXHIBIT A

Medical Documentation – Redacted Records Confirming Hospitalization and Stroke

A true and accurate translation is provided here: Friday 9 May 2025
— Medical record entry (Spanish original & English)
Below is the verbatim Spanish text of the two-page emergency department note dated 09/May/2025, with an English translation in brackets right after every sentence or line-break.
(No wording has been changed, added, or removed.)

Página 1 / 2
Emergencia – UEED – Evolución Fecha: 09/05/2025
[Emergency – UEED – Progress Note Date: 05/09/2025]

Datos clínicos relevantes de la evolución:
[Relevant clinical data of the course:]

- GUARDIA A – SECTOR A – Res Dr H Castillo. Visto con Dra G Pereira
  [Duty Area A – Sector A – Responsible physician: Dr H Castillo. Seen with Dr G Pereira]
- SM 56 años, procedente de Estados Unidos (Louisville, Nueva York). Médico, neuropsiquiatra. Contacto: madre
  [Male, 56 years, from the United States (Louisville, New York). Physician, neuropsychiatrist. Emergency contact: mother]
- Refiere enfermedad autoinmune sistémica "lupus like" (no queda claro paraclínica ni tratamiento). En ese contexto, síntomas digestivos tipo colitis que motivan sigmoidectomía.
  [Reports systemic autoimmune disease "lupus-like" (paraclinical data and treatment unclear). In that setting, colitis-type digestive symptoms that led to sigmoidectomy.]
- Ingresado hace 48 h en emergencia por cuadro de fiebre con "chucho", cefalea y tos con expectoración mucopurulenta.
  [Admitted to the ED 48 h ago for fever with chills, headache, and cough with mucopurulent sputum.]
- Valorado en evolución por medicina interna, toxicología y psiquiatría. Como elementos objetivables se constata fiebre en múltiples oportunidades.
  [Followup by internal medicine, toxicology, and psychiatry; objective finding: fever documented on multiple occasions.]

Paraclínica al momento:
[Current ancillary studies:]

- Screening de drogas en orina: negativo
  [Urine drug screen: negative]
- TC de cráneo con angio: Infarto lacunar gangliobasal derecho. Sin alteraciones en tórax. Lesión suprarrenal descrita en probable relación a adenoma.

(No cuento con imágenes de Tx Abd-Pel).
[Head CTangiography: right gangliobasal lacunar infarct. No thoracic changes. Adrenal lesion likely adenoma. (No abdominal-pelvic CT images available).]

- Punción lumbar (PL):
  [Lumbar puncture (LP):]
  - Líquido cristal de roca
    [Crystal-clear fluid]
  - GB 0 | Glucosa 0.66 g/L | Proteínas 0.3 g/L | Lactato 16.3 mmol/L | GR 50
    [WBC 0 | Glucose 0.66 g/L | Proteins 0.3 g/L | Lactate 16.3 mmol/L | RBC 50]
  - Directo: no se observan bacterias. Cultivo: negativo. FilmArray: negativo.
    [Direct stain: no bacteria seen. Culture: negative. FilmArray: negative.]
  - Ag Cryptococcus LCR: negativo. Pendiente tinta china.
    [Cryptococcus antigen in CSF: negative. India ink pending.]
- Ag Cryptococcus suero: negativo
  [Cryptococcus antigen in serum: negative]

Problemas pendientes a resolver: punción lumbar ‡
[Pending issues: lumbar puncture]

Actualmente se interroga en inglés. ‡
[Currently interviewed in English.]
Orientado en tiempo y espacio.
[Oriented to time and place.]
Mantiene tos productiva
(se constata expectoración mucopurulenta). Se constata registro febril de 38 °C sin "chucho", sin náuseas ni vómitos, sin focalidad neurológica. ‡
[Continues with productive cough (mucopurulent sputum noted). Febrile to 38 °C without chills, nausea or vomiting, and no neurologic focal signs.]
EF lúcido; estado general regular. TAX 38 °C, sin desaturación. PyM normocoloreado.
[Physical exam: alert; fair general condition. Temp 38 °C, no oxygen-desaturation. Skin and mucosae normal colour.]
CV: RR 85 lpm, ruidos normofonéticos, sin soplos.
[Cardiovascular: HR 85 bpm, normal heart sounds, no murmurs.]
PP: eupneico; MAV presente; no se auscultan estertores.
[Pulmonary: eupneic; vesicular breath sounds present; no crackles.]
Abdomen blando, depresible, indoloro.
[Abdomen soft, depressible, non-tender.]
PNM: psiquismo conservado; PPCC sin rigidez de nuca; fuerzas y sensibilidad conservadas.
[Neuro-mental: mental status preserved; no nuchal rigidity; strength and sensation intact.]
Sd febril que impresiona de foco respiratorio
(tos productiva, disnea) en contexto de neuroinfección
(aleja TC de cráneo normal; LCR citoquímico inocente y FilmArray negativo); llama la atención lactato elevado en LCR. Más alejado aún compromiso neuropsiquiátrico en contexto de enferme dad autoinmune sistémica? ‡
[Febrile syndrome suggesting respiratory focus (productive cough, dyspnoea) in a context of possible neuro-infection

(although head CT normal; benign CSF chemistry and negative FilmArray); notably elevated CS F lactate. Further possibility of neuropsychiatric involvement related to systemic autoimmune di sease.]
Conducta: se explica a paciente y madre la importancia de permanecer en hospital en vistas a con tinuar estudio etiológico y completar resultados de PC pendiente
(hemocultivos). Paciente comprende y accede; refiere que debe concurrir a buscar computadora por problemática legal y volverá a emergencia de forma inmediata. ‡
[Plan: patient and mother informed about the need to remain hospitalized to continue etiologic work-up and await pending blood-
culture results. Patient understands and agrees; states he must fetch a computer for a legal matte r and will return to the ED immediately.]
Iniciamos ampicilina-sulbactam + claritromicina en vistas a cobertura de foco respiratorio. ‡
[Started ampicillin-sulbactam + clarithromycin to cover respiratory focus.]
Derivación o Referenciación: Sin Dato ‡
[Referral / transfer: none]

Nombre: **FELDAM , DANNIEL JOSEPH**

Documento: **40917430** Ciudad: ---------- Sexo: **M** Edad: **56**

Dirección: ---------- Registro: [redacted]06

Emergencia - UEED - Evolucion

Fecha: 09/05/2025

Datos clinicos relavantes de la evolucion:

GUARDIA A - SECTOR A - Res Dr H Castillo, Visto con Dra G Pereira
PARTE 1 DE 2

Enterados de HC y evolución. SM 56 años, procedente de Estados Unidos (Louisville, Nueva York). Medico, neuropsiquiatra. Contacto madre [redacted]

[redacted]

Refiere enfermedad autoinmune sistémica lupus like (no queda claro paraclinica ni tratamiento). En contexto de dicha patologia refiere sintomas digestivos tipo colitis que motivan sigmoidectomia.

[redacted]

Ingresado hace 48h en emergencia HC por cuadro de fiebre con chucho, cefalea y tos con expectoración mucopurulenta. [redacted]

protocolo

Valorado en evolución por medicina interna, toxicologia y psiquiatria. Como elementos objetivables se constata fiebre en múltiples oportunidades.

[redacted]

Problemas pendientes a resolver:

De la valoración paraclínica al momento se destaca:
-Screening de drogas en orina negativo
[redacted]
-TC de cráneo con angio: Infarto lacunar gangliobasal derecho. Sin alteraciones en tórax. Lesión suprarrenal descrita en probable relación a adenoma. [redacted] (No cuento con imagenes de Tx Abd Pel).
[redacted]

punción lumbar

-PL: liquido cristal de roca / GB 0 / Glucosa 0.66 / Proteinas 0.3 / Lactato 16.3 / GR 50
Directo: no se observan bacterias. Cultivo negativo. FilmArray negativo. Ag crypto LCR negativo. Pendiente tinta china.
- Ag cryprococcus suero negativo.

Derivación o Referenciación: Sin Dato

Hoja1

Página 25

Nombre **FELDAM , DANNIEL JOSEPH**

Documento **40917430** Ciudad ---------- Sexo **M** Edad: **56**

Direccion ---------- Registro: [redacted]6

Emergencia - UEED - Evolucion

Fecha: 09/05/2025

Datos clinicos relavantes de la evolucion:

GUARDIA A SECTOR A - Res Dr H Castillo. Visto con Dra G Pereira
PARTE 2 DE 2

Actualmente se interroga en ingles [redacted]
[redacted] Orientado en tiempo y espacio. [redacted]
Mantiene tos productiva (se constata expectoracion mucopurulenta). Se constata registro febril de 38 sin chucho [redacted] sin nauseas ni vomitos, sin focalidad neurologica [redacted]

EF lucido, regular estado general, TAX 38, sin desaturacion.
PyM normocoloreado
CV RR 85lpm, ruidos normofoneticos, sin soplos
PP eupenico. MAV presente, no se auscultan estertores.
Abd blando, depresible, indoloro.
PNM: psiquismo descrito. PPCC sp. No rigidez de nuca. Fuerzas y sensibilidad conservadas

[redacted]

Problemas pendientes a resolver:

protected

[redacted] Sd febril que impresiona de foco respiratorio (tos productiva, disnea)
[redacted] en contexto de neuroinfeccion (aleja TC craneo normal, LCR citoquimico inocente y filmarray negativo - llama la atencion lactato elevado en LCR). Mas alejado aun, compromiso neuropsiquiatrico en contexto de enfermedad autoinmune sistemica?

Conducta: se explica a paciente y madre importancia de permanecer en hospital en vistas a continuar estudio etiologico y completar resultados de PC pendiente (hemocultivos). Paciente comprende y accede, refiere debe concurrir a buscar computadora por problematica legal y volvera a emergencia de forma inmediata.
[redacted]
Iniciamos ampicilina sulbactam + claritromicina en vistas a cobertura de foco respiratorio.

Derivación o Referenciación: Sin Dato

Hoja1

Página 24

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE:

Judge:

Filed: May 12, 2025

MEMORANDUM OF

POINTS AND AUTHORITIES TO SUPPORT

TRO, STAY OF PROCEEDINGS, AND

FEDERAL REVIEW

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF KENTUCKY:

MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiff respectfully submits this Memorandum of Points and Authorities in support of the Emergency Motion for Temporary Restraining Order and Stay.

1. **Legal Standard – TRO**

   Under Fed. R. Civ. P. 65(b), a court may grant a temporary restraining order if the movant shows (1) a likelihood of success on the merits, (2) irreparable harm, (3) that the balance of equities tips in their favor, and (4) that the public interest favors relief.

2. **ADA – 42 U.S.C. § 12132**

   Public entities may not deny individuals with disabilities the benefits of services, programs, or activities. The courts' denial of e-filing and procedural participation while disabled violates this section.

3. **Fourteenth Amendment – Equal Protection & Due Process**

   Kentucky courts systematically deny unrepresented parties electronic access, allowing clerks to filter filings arbitrarily. This dual-track system violates equal protection and due process, especially where disabled individuals are prevented from accessing legal remedies.

4. **Rooker-Feldman and Younger Exceptions**

   Federal review is appropriate where state courts refuse to hear federal claims, deny access to justice, or where proceedings are a bad-faith pretext — all of which apply here.

5. **Precedents**

- *Tennessee v. Lane*, 541 U.S. 509 (2004) – Access to courts under ADA
- *Bloch v. Frischholz*, 587 F.3d 771 (7th Cir. 2009) – Housing retaliation
- *Turley v. ISG Lackawanna*, 774 F.3d 140 (2d Cir. 2014) – Emotional/physical harm
- *Foster v. West Plaza*, 371 S.W.3d 908 (Ky. App. 2012) – Landlord abuse of process

Respectfully submitted,

Daniel J. Feldman, Ph.D. Date: May 12, 2025

8809 Denington Dr

Louisville, KY 40222

danieljfeldmanphd@gmail.com

+1 (307) 699-3223

Plaintiff, Pro Se

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-00396

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE:

Judge:

Filed: May 12, 2025

ADA REQUEST AND

MOTION FOR REMOTE APPEARANCE

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF KENTUCKY:

ADA REQUEST AND MOTION FOR REMOTE APPEARANCE

Plaintiff respectfully requests accommodations under the Americans with Disabilities Act to allow for remote participation in all proceedings in this matter.

Plaintiff is currently hospitalized following a documented medical emergency (stroke), and is under care outside the United States. Due to her disability and medical incapacity, Plaintiff cannot physically appear in court and cannot personally serve documents or attend in-person hearings.

Pursuant to federal disability law and this Court's inherent discretion, Plaintiff requests leave to appear and participate remotely by phone, video, or written submission. This request is made in good faith and supported by medical documentation (see Exhibit A to Emergency Motion).

Respectfully submitted,

Daniel J. Feldman, Ph.D. Date: May 12, 2025

8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com

+1 (307) 699-3223
Plaintiff, Pro Se

[PROPOSED] ORDER GRANTING

TEMPORARY RESTRAINING ORDER AND

STAY OF STATE COURT PROCEEDINGS

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE:

Judge:

Filed:

[PROPOSED] ORDER GRANTING

TEMPORARY RESTRAINING ORDER AND

STAY OF STATE COURT PROCEEDINGS

Before the Court is Plaintiff's Emergency Motion for Temporary Restraining Order and Stay of State Court Proceedings. Having considered the motion, the supporting exhibits, and the urgent nature of the relief requested, the Court finds that Plaintiff has shown:

- A likelihood of success on the merits based on alleged due process and ADA violations;
- Irreparable harm will occur in the absence of immediate relief, including the threat of eviction while hospitalized;
- The balance of equities favors Plaintiff, who is currently unable to attend or defend himself in state court proceedings;
- The public interest favors ensuring access to justice and fair procedures.

IT IS HEREBY ORDERED THAT:

1. The Defendants, and any persons acting in concert with them, are **restrained and enjoined** from taking any action to enforce or continue eviction proceedings against Plaintiff pending further order of this Court;
2. All proceedings in **Jefferson District Court** (Case No. 25-C-003961) and **Jefferson Circuit Court** (Case No. 25-CI-002530) are **stayed** effective immediately;
3. Plaintiff may appear in this action remotely or be excused from in-person participation while hospitalized;
4. A hearing on this matter shall be set for _____, to be conducted via teleconference unless otherwise ordered.

IT IS SO ORDERED.

Dated: _____

United States District Judge

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE:

Judge:

Filed: May 12, 2025

NOTICE OF REMOVAL

AND REQUEST FOR FEDERAL REVIEW

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF KENTUCKY:

Plaintiff/Defendant respectfully removes to this Court two related civil actions currently pending in the Jefferson Circuit and Jefferson District Courts in Kentucky. This removal is made pursuant to 28 U.S.C. §§ 1331, 1441, and 1443(1), and is based on violations of federal rights under the Americans with Disabilities Act (ADA), the Fourteenth Amendment, and the due process clause.

I. GROUNDS FOR REMOVAL

1. Plaintiff was denied access to medication by the landlord and denied emergency relief by state courts despite multiple verified emergency filings.
2. This resulted in a stroke and current hospitalization, verified by medical documentation (Exhibit A).
3. The state courts have failed to read or docket critical filings and have actively blocked further pro se participation, despite ADA requests.
4. Plaintiff is subject to imminent eviction (hearing on Tuesday) while hospitalized and unable to appear.
5. Jefferson County courts operate a discriminatory system that prohibits unrepresented parties from electronic filing, forcing paper-only access that enables clerk gatekeeping and procedural exclusion.
6. A court staff member acknowledged the problem and laughed when Plaintiff raised it, indicating institutional awareness and indifference.

7. Plaintiff intends to amend his complaint to include out-of-state defendants and federal civil rights claims arising from the same facts.

II. STATE COURT INFORMATION

- **Circuit Court Case No. 25-CI-002530**: Plaintiff's damages and civil rights case.
- **District Court Case No. 25-C-003961**: Landlord-initiated eviction proceeding.
- Both cases arise from the same set of facts and are removed together for consolidated federal review.

III. ATTACHMENTS

Filed herewith:

- Emergency Motion for TRO and Stay
- Exhibit A – Medical Documentation
- Civil Cover Sheet (JS-44)
- Certificate of Service
- Proposed Order
- State court filings and docket sheets (Exhibit Packet)

IV. RELIEF REQUESTED

Plaintiff requests:

- That this Court assume jurisdiction over both state cases.
- That a Temporary Restraining Order be issued immediately.
- That all state proceedings be stayed.
- That a telephonic emergency hearing be scheduled due to hospitalization.

Respectfully submitted,

Daniel J. Feldman, Ph.D. Date: May 12, 2025

8809 Denington Dr

Louisville, KY 40222

danieljfeldmanphd@gmail.com

+1 (307) 699-3223

Plaintiff, Pro Se

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE:

Judge:

Filed: May 12, 2025

PROOF OF SERVICE FOR

NOTICE OF REMOVAL

AND REQUEST FOR FEDERAL REVIEW

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF KENTUCKY:

CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2025, I submitted for filing the following documents in support of emergency removal:

- Notice of Removal and Request for Federal Review
- Emergency Motion for Temporary Restraining Order and Stay
- Exhibit A – Medical Documentation
- Proposed Order
- Memorandum of Points and Authorities
- Civil Cover Sheet (JS-44)
- ADA Request and Motion for Remote Appearance
- This Certificate of Service

Due to my current hospitalization and my being outside the United States, I am unable to effect personal service or send physical mail. However, on the morning of May 12, 2025, I emailed the full set of documents to all parties named in the underlying actions, including opposing counsel (where known), as well as court email addresses where accessible. I also included myself as a recipient on the message to verify transmission.

Plaintiff respectfully requests that the Court accept this as sufficient service under the circumstances and/or issue an order for alternative service.

Respectfully submitted,

Daniel J. Feldman, Ph.D. Date: May 12, 2025

8809 Denington Dr

Louisville, KY 40222

danieljfeldmanphd@gmail.com

+1 (307) 699-3223

Plaintiff, Pro Se

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 16, 2025

CHIEF JUDGE GREG N. STIVERS

EMERGENCY MOTION TO ENFORCE FEDERAL REMOVAL AND ENJOIN UNLAWFUL STATE ENFORCEMENT

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF KENTUCKY:

Plaintiff, Dr. Daniel J. Feldman, appearing pro se, respectfully moves this Court to enforce the automatic stay imposed by **28 U.S.C. § 1446(d)** and to immediately enjoin any further enforcement of the void state court judgment entered by the Jefferson District Court on **May 13, 2025**, in violation of federal law.

I. BACKGROUND

On **May 12, 2025**, Plaintiff filed a **Notice of Removal** pursuant to **28 U.S.C. §§ 1441, 1443, and 1446**, removing Jefferson District Court Case No. **25-C-003961** and Jefferson Circuit Court Case No. **25-CI-002530** to this Court.

Federal Case No. **3:25-CV-271-GNS** was assigned the same day at **9:52 a.m.**, and service was executed on all parties, along with physical filings in the originating courts.

Despite this, Judge Lisa Langford of the Jefferson District Court proceeded with an eviction hearing on **May 13, 2025**, entered judgment, and issued a **writ of possession** in direct violation of **§ 1446(d)**, which prohibits state court action following removal.

II. LEGAL STANDARD

Under **28 U.S.C. § 1446(d)**:

"The State court shall proceed no further unless and until the case is remanded."

This provision is automatic, self-executing, and preempts all state authority. It applies to **all properly filed removals**, including those brought under **§ 1443**, which Plaintiff asserts here based on ongoing **civil rights and ADA violations**.

State court and enforcement officials have **no discretion** to override this stay. Once federal jurisdiction attaches, all further action must cease.

III. RECENT EVENTS & ENFORCEMENT OBSTRUCTION

On **May 16, 2025**, Plaintiff's mother and authorized agent, **Jo Anne Feldman**, attempted to deliver notice of the federal removal and stay to the **Jefferson County Sheriff's Office**.

She was told by two officials — a desk clerk and **Deputy T. Clark** — that the Sheriff's Office could only accept documents from **Judge Langford**. She was left locked in a lobby, documents were refused, and she was forced to leave without enforcement being paused.

Deputy Clark called the federal notice "counterfeit" despite it bearing the official case caption, filing stamp, and citation to **§ 1446(d)**. He refused to retain even a copy, yet declared he made his own.

This conduct not only violates **federal supremacy** but constitutes a **direct obstruction of access to court** under the **ADA** and **civil rights statutes**.

IV. REQUEST FOR IMMEDIATE RELIEF

Plaintiff respectfully requests that this Court:

1. **Enforce the automatic stay** of state court enforcement under 28 U.S.C. § 1446(d);
2. **Declare the May 13, 2025 eviction order void ab initio**;
3. **Enjoin the Jefferson County Sheriff's Office** from enforcing any writ or order derived from 25-C-003961;
4. **Issue an immediate show cause order** to Jefferson District Court and the Jefferson County Sheriff as to why enforcement has proceeded despite federal jurisdiction;
5. **Authorize expedited injunctive relief** due to the stated threat of eviction on **Tuesday, May 21, 2025**;
6. Grant any other relief this Court deems just and necessary.

V. ATTACHMENTS

Plaintiff attaches the following in support:

- Affidavit of Dr. Daniel J. Feldman (May 15, 2025)
- Affidavit of Jo Anne Feldman (May 15, 2025)

- Supplemental Affidavit of Jo Anne Feldman (May 16, 2025)
- Filed Notice of Federal Jurisdiction and Enforcement Stay (to Sheriff)
- Filed Statement of Federal Jurisdiction and Void State Order (to District Court)
- Table of Contents and All State Court Filings 25-CI-002530 25-C-003961 (filed May 16)

Respectfully submitted,

Daniel J. Feldman, Ph.D. Date: May 12, 2025

8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
Plaintiff, Pro Se

Affidavit of Dr. Daniel J. Feldman (May 15, 2025) – sworn testimony documenting removal, clerk obstruction, and federal jurisdiction violations

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25CV-271-GNS

CHIEF JUDGE GREG N. STIVERS

AFFIDAVIT OF DR. DANIEL J. FELDMAN IN SUPPORT OF EMERGENCY MOTIONS AND TO ENFORCE FEDERAL REMOVAL

TO THE HONORABLE CHIEF JUDGE GREG STIVERS OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

"I already know how the federal judge is going to rule."

– Judge Lisa Langford, May 13, 2025, 10:15am

District Court of Jefferson County

AFFIDAVIT OF DR. DANIEL J. FELDMAN –

DUE PROCESS & FEDERAL REMOVAL VIOLATIONS

I, Dr. Daniel J. Feldman, under penalty of perjury, declare the following to be true and correct. This affidavit is submitted in support of my Emergency Motion for Temporary Restraining Order, my ADA Motion for Remote Appearance, and the enforcement of federal removal of both Jefferson District Court Case No. 25-C-003961 and Jefferson Circuit Court Case No. 25-CI-002530, as consolidated under U.S. District Court Case No. 3:25CV-271-GNS.

I. FEDERAL REMOVAL AND FILING HISTORY

1. On May 12, 2025, I filed a Notice of Removal in the U.S. District Court for the Western District of Kentucky, removing both my Circuit Court civil rights case and the related District Court eviction case to federal jurisdiction pursuant to 28 U.S.C. §§ 1441 and 1443.
2. The following documents were physically filed in the Jefferson County Circuit and District Courts by my 81-year-old mother, Jo Anne Feldman, who uses a rollator. She personally delivered the following: a Notice of Filing of Notice of Removal, an Emergency Motion for TRO and Stay, a Memorandum of Points and Authorities, an ADA Request for Remote Appearance, a JS-44 Civil Cover Sheet, an IFP application, a proposed order for TRO, a full exhibit index, and two separate Proofs of Service.
3. I filed these documents under the federal case number 3:25CV-271-GNS, which was confirmed as docketed by the Western District of Kentucky on May 12, 2025, at 9:52 a.m. under Chief Judge Greg N. Stivers.
4. On that same date, my mother submitted a Notice of Filing of Notice of Removal on my behalf to the Jefferson Circuit Court and Jefferson District Court. In total, she visited three different courts on May 12, 2025, and this marked the eighth time in the last month she has physically filed verified pleadings on my behalf.
5. Despite the legitimacy and verification of these filings, every single one has either been ignored outright or falsely characterized as frivolous. These acts were not mere oversight. The filings were gatekept and dismissed by clerks with a clear intention to obstruct justice and deny access to unrepresented parties, particularly those seeking ADA accommodations or asserting civil rights.

6. On the afternoon of May 12, 2025, at 4:28 p.m., I emailed the U.S. District Court for the Western District of Kentucky and the chambers of Chief Judge Greg N. Stivers, formally requesting judicial intervention and a ruling on my Emergency Motion for Temporary Restraining Order and ADA Request for Remote Appearance. The following morning, May 13, 2025, at 7:30 a.m., I sent an additional email to opposing counsel, the Jefferson District Court, and the Jefferson Circuit Court. That message reiterated that the case had been properly removed to federal court the day prior and reminded them that the matter was now outside of state jurisdiction. I requested that the case be removed from the Jefferson District Court's docket in light of the federal removal. That morning's message was not addressed to the federal court but served as formal notice to the state court and defendants to cease state proceedings under 28 U.S.C. § 1446(d).
7. At approximately 8:31 a.m., my mother, Jo Anne Feldman, and I attempted to contact the Jefferson District Court Clerk's Office by phone. We asked explicitly whether the eviction case had been removed from the docket, and whether the hearing was canceled. We were given deliberately misleading information. The clerk on the phone avoided the question, redirected us to a nonfunctional or incorrect number, and never gave confirmation. This act was part of a systemic pattern of abuse by Jefferson District Court clerks to mislead unrepresented and disabled litigants.

8. Following that call, I contacted the courtroom to request instructions for appearing via Zoom. This call reiterated that notice had been given the previous day, filed in the record, and that both the Clerk's Office and courtroom were reminded by email and phone that the case had been properly removed to federal court. Despite this, Judge Lisa Langford intentionally left the matter on the docket and proceeded as though no removal had occurred.
9. At approximately 8:58 a.m., I joined the Jefferson District Court's Zoom session from my hospital bed. My mother joined separately from her dining room. This remote appearance was made despite clear notice to the court that I was hospitalized and that the case had been lawfully removed. Our presence was solely to assert federal jurisdiction and observe what would be done next.
10. Over the past month, my mother, Jo Anne Feldman, has been subjected to repeated obstruction and hostility from Jefferson District Court clerks. Despite physically filing verified legal pleadings on my behalf on at least eight separate occasions, clerks have routinely discarded, ignored, or labeled them "frivolous" without any review. These filings were all lawful, verified, and ADA-protected. Her status as an elderly individual with mobility limitations was treated with open disregard.

II. CLERK MISCONDUCT AND PHYSICAL ACCESS OBSTRUCTION

11. Over the past month, my mother, Jo Anne Feldman, has been subjected to repeated obstruction and hostility from Jefferson District Court clerks. Despite physically filing verified legal pleadings on my behalf on at least eight separate occasions, clerks have routinely discarded, ignored, or labeled them “frivolous” without any review. These filings were all lawful, verified, and ADA-protected. Her status as an elderly individual with mobility limitations was treated with open disregard.

12. The Clerk’s Office has developed and enforced an informal but pervasive policy of gatekeeping against unrepresented litigants. Unless a licensed attorney files, documents are often not acknowledged, docketed, or reviewed. Clerks have made false claims about formatting, refused filings based on personal discretion, and given misinformation to obstruct access to justice. These practices appear designed to frustrate access for pro se litigants and impose a two-tiered system of procedural justice.

13. On the morning of May 13, 2025, my mother and I called the Jefferson District Court a second time to confirm removal. We had already filed Notices of Removal in both District and Circuit Court the day prior, on May 12. I had emailed the court at 7:30 a.m. that morning and had previously called at 8:28 a.m. to confirm that the case had been removed. Despite this, when we called again at 8:38 a.m., we were told by the clerk that it was now “too late” to remove the case from the docket, because she had already left with Judge Langford to go to chambers.

14. This was knowingly false. We had given repeated advance notice — by email and by phone — that the case had been removed to federal court, and that a TRO and ADA motion were pending. The clerk's statements and redirections were deliberate. She withheld the opportunity to act on removal and helped move the case forward as though no removal had occurred. This was not an error or oversight — it was part of a coordinated pattern of procedural obstruction that occurred repeatedly across both courts.

III. COURTROOM BIAS, DUE PROCESS VIOLATIONS, AND DISCRIMINATORY CONDUCT

15. My mother and I logged into the Zoom courtroom session for the Jefferson District Court at 8:58 a.m. on May 13, 2025. My mother joined from her dining room; I joined from my hospital bed. I was visibly connected through a hospital network, wearing a wristband, with an IV in my arm, curtains behind me, and an IV pole clearly in the background. My mother, although appearing healthy for her age, is visibly elderly. Both of us were seated, silent, and attentive for over an hour as the court proceeded.
16. There were over 30 Zoom participants connected that morning. The majority were attorneys. Only two other tenants, besides myself, appeared by video. My mother and I were the only unrepresented tenants who were visible and engaged. Michelle Rawn kept her video off but was seen moving in and out of Mr. Benz’s visible frame. Mr. Benz appeared in casual, disheveled clothing — a stretched-out t-shirt exposing his upper torso and faded jeans. His appearance lacked professionalism or respect for courtroom decorum. By contrast, I wore a button-down shirt despite being in a hospital bed. My mother and I both presented respectfully.

17. From the outset, Judge Lisa Langford and Mr. Benz engaged in inappropriate familiarity. They laughed and exchanged banter. The judge stated — with a laugh — that she and Mr. Benz had already agreed privately to place “the heavy case” last on the docket. This clearly referred to my case, which included over 150 pages of verified filings. Judge Langford identified my case aloud as “Case 11” and laughed while calling it long and burdensome. She scheduled it last, knowing from the Zoom feed that I was in a hospital setting.

18. Her decision to delay my hearing was deliberate and retaliatory. She knew the case had been removed to federal court, had seen the medical setting I was in, and had received an ADA request and a Motion to Dismiss. Nevertheless, she treated my presence as an inconvenience, mocking my filings and deferring to Mr. Benz’s preference. Her private conversation with Mr. Benz regarding docket scheduling was a clear violation of judicial ethics and ex parte communication standards.

19. Over the course of the next hour, every other attorney was permitted to speak. Each one was sworn in and granted full video privileges. Mr. Benz and Mr. Heath were allowed to testify by video without interruption. Mr. Benz remained onscreen, while Michelle Rawn repeatedly moved through the background of his feed — in violation of court rules that permit only one visible individual per video. Their violations were not addressed.

20. My mother and I remained respectfully on video through this entire hour. Then, within minutes of my case being called, the court cut both of our video feeds. No reason was provided. We were not visible for our own hearing. At no point did we violate any rule of decorum. No other participant that morning had their video cut during testimony. The court made this decision exclusively against me — a visibly hospitalized, disabled litigant — and my mother.

21. During Mr. Benz's appearances, he displayed a level of casualness and disregard for the court that reflected how fully embedded and favored he is in that courtroom. He appeared in a t-shirt and jeans, slouched in his chair, and acted as though he had forgotten he was on video. At one point, Mr. Benz visibly picked his nose and appeared to consider eating it before realizing he was on camera. He then wiped the mucus from his finger. This occurred in full view of the court. Neither the judge nor any court official addressed it. This was emblematic of the permissiveness extended to him by the court — a lawyer who files multiple eviction cases every day and is treated not as an officer of the court, but as a favored extension of it.

22. By contrast, I was never sworn in. I was not permitted to complete a single sentence. I was interrupted, mocked, and dismissed. When I referenced the federal removal, Judge Langford shut me down immediately and told me she would not be hearing that. She referenced prior filings in Circuit Court and labeled them "frivolous," even though she had never reviewed them. She falsely stated that Judge Clay had ruled against my ADA requests. That is not in the record.

23. I attempted to ask Mr. Heath whether he had any knowledge of my rent payment attempts or conversations with his staff about how to pay. Mr. Benz objected. The judge sustained the objection. I asked whether Mr. Benz — who had direct communication with me and had filed a document claiming I had not paid — could be questioned under oath. The judge said he could not be asked questions.

24. Mr. Benz was allowed to make factual claims as if testifying, without being sworn in, without cross-examination, and without any documentation. He told the court that I had made no attempt to pay, that all my filings were stall tactics, and that I had invented barriers. He was believed without question. I was disbelieved without evidence.

25. When I tried to explain that I had filed an ADA motion and Motion to Dismiss, Judge Langford cut me off. I explained that I had attempted to pay rent multiple times — well before the due date — and that I had documented efforts to ask where and how to pay. These statements were ignored. The judge said she did not believe me and mocked me for "filing documents from another country." She said that if I could do that, I could figure out how to pay my rent.

26. Unlike every other tenant that morning, I was not offered what the court called the "standard package" — a seven-day notice to cure or vacate. Mr. Benz presented multiple evictions that day, and each one resulted in an option for payment or cure. I was the only tenant denied this remedy. Judge Langford said that I owed no money, but still gave me seven days to vacate — without hearing the record, without reviewing reimbursement claims, and without due process.

27. My reimbursement claims alone exceed three months' rent. Verified damages in my federal filings now exceed $1.2 million. None of that was acknowledged. Mr. Benz and his clients never requested payment — only possession. The case was treated not as a rent dispute but as a punishment for asserting legal rights and filing removal.

28. When I explained that moving within seven days would present a medical hardship — from a hospital bed, under stroke recovery — Judge Langford mocked me again. She repeated that I was "capable" of filing documents and therefore capable of relocating. She ignored my medical record and refused to acknowledge my legal filings.

29. Judge Langford adopted Mr. Benz's false representation that 28 U.S.C. § 1446(b) barred me from removing the case to federal court. She said — in court — that I had missed the deadline to remove and therefore "forfeited" federal jurisdiction. This was a gross misstatement of law. Section 1446(b) applies to defendants, not to plaintiffs or cross-respondents bringing federal civil rights claims. My removal was properly filed under §§ 1441 and 1443, with verified federal claims and within the appropriate procedural window. The judge refused to hear this explanation, even after I attempted to clarify the legal basis for removal.

30. She stated that she "already knew how the federal judge was going to rule," and that she was "comfortable" entering judgment against me based on that assumption. She did so despite being served with a federal Notice of Removal, an Emergency Motion for TRO, and a verified ADA filing. She did so while cutting my video, denying me voice, and refusing to acknowledge the filings that were properly before her.

31. At no point was I allowed to respond to the false factual claims made by Mr. Benz and his witnesses. I had submitted a Motion to Dismiss, an ADA request, and a Notice of Removal. None were acknowledged in the hearing. I was not sworn in. I was not permitted to cross-examine. I was silenced and then judged.

32. I had previously submitted requests for ex parte relief under both state and federal law. These filings, including the TRO and ADA request, were denied or disregarded without hearing, while Mr. Benz was allowed to engage in informal and ex parte communication with Judge Langford regarding docket order and case management — on record, in front of all participants. No formal motion or record was made of that conversation.

33. Mr. Benz has previously submitted verified false claims in court. I have documented these lies, including email evidence contradicting his statements that I made no effort to pay. Despite this, the court permitted him to act as both witness and counsel, presenting evidence without scrutiny, while denying me the right to respond.

34. The judgment entered that morning was not just procedurally flawed — it was retaliatory. It was issued in bad faith, against a visibly disabled litigant who had asserted federal rights. It validated every concern raised in my federal filings and every reason for why this case cannot be heard in a biased and inaccessible state forum. The court mocked my disability, denied my rights, suppressed my voice, and enforced judgment without law.

IV. POST-HEARING CONDUCT AND ONGOING HARM

35. My mother and I were summarily removed from the Zoom session. We were not allowed to speak further. Our microphones and videos were cut. We were not acknowledged or thanked. The judgment was entered without hearing, without procedure, and in full violation of 28 U.S.C. § 1446(d), which prohibits state courts from proceeding once a case has been removed to federal jurisdiction.

36. I did not receive a copy of the judgment or any communication from the court. Previously, I had received court orders by email. This time, nothing was sent to me, even though I had made explicit requests for remote appearance and ADA accommodation, and even though I am the named defendant.

37. I was hospitalized during this hearing and remained under medical supervision afterward. I was not discharged until eight days later. During that time, I was under active evaluation and treatment for a systemic medical condition. I believe — and continue to believe — that my hospitalization was the direct result of the defendants' conduct, including obstruction of access to life-saving medication. This includes actions by my landlord, their legal counsel, and the clerks of both Jefferson District and Circuit Courts, who repeatedly refused to docket or deliver verified emergency motions requesting medical access. My mother — who has couriered these filings on my behalf — was denied the ability to bring me my own prescribed medication. This was not the first such incident. In 2023, I suffered permanent vision loss due to similar obstruction, which I have documented in my ongoing civil rights and ADA filings. My current damages exceed $1.2 million. The court's refusal to hear my March 31, 2025, TRO — which explicitly requested intervention to access life-sustaining medication — directly contributed to my hospitalization. The subsequent gatekeeping by court clerks, their open declaration that filings would not be given to the judge, and the judges' retaliation against me for asserting my rights have caused permanent injury and represent a coordinated systemic failure that justifies emergency federal intervention. I believe that enforcement of the court's judgment — especially by entering or changing possession of the apartment — would result in irreparable harm, and potentially medical collapse. I have not been served with a written order. The court knows that I am disabled, that I removed the case to federal court, and that I cannot safely relocate under this timeline.

38. I also believe that my landlord and their counsel have acted in retaliation not only for the current filings but for my prior litigation history in California. That history includes a verified case in which I disproved slanderous accusations of elder abuse. Despite this, the California court has allowed the same individual to continue slandering me — as recently as February 2025 — and has blocked me from speaking, from objecting, and from filing motions under my own case number. I intend to file additional declarations on that matter.

39. I am requesting that the federal court immediately stay enforcement of the state court's judgment, recognize that federal jurisdiction has attached under 28 U.S.C. §§ 1441, 1443, and 1446(d), and issue relief accordingly.

V. IMPROPER SERVICE AND DELIBERATE OBSTRUCTION OF ACCESS

40. On May 14, 2025, my mother discovered a printed copy of the defendants' response to my federal removal placed loosely in her mailbox — my legal address of record, and the only physical address the court has for me. This was not personally served, not sent by certified mail, and not emailed to me. I have informed both the court and opposing counsel repeatedly — in filings and by email — that I am outside the country and cannot receive service at any Kentucky residence. I have requested that all service be conducted electronically. Nevertheless, Mr. Benz has consistently refused to send legal documents by email, including time-sensitive responses, despite my verified disability and my pro se status. My mother had to manually scan the documents to send them to me abroad. This pattern of refusal to serve me electronically, despite my repeated and documented requests, constitutes procedural obstruction and is part of the broader pattern of exclusion and retaliation described throughout this affidavit.

Verification and Conclusion

I, Dr. Daniel J. Feldman, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief. I respectfully request that the Court take judicial notice of the facts herein and issue emergency relief as described in my accompanying motions.

Executed on this 15th day of May, 2025.

Residence: Louisville, Kentucky

Daniel J. Feldman, Ph.D.

8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
Plaintiff, Pro Se

Affidavit of Jo Anne Feldman (May 15, 2025) – sworn statement supporting ADA access denial and pro se discrimination

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25CV-271-GNS

CHIEF JUDGE GREG N. STIVERS

AFFIDAVIT OF JO ANNE FELDMAN IN SUPPORT OF EMERGENCY RELIEF AND FEDERAL JURISDICTION

TO THE HONORABLE CHIEF JUDGE GREG STIVERS OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

"Oh, we hear that all the time. Sorry, but it's the rule."
– Clerk, Jefferson District Court, May 1, 2025, 10:23 AM

Said in response to a 14th Amendment challenge over requiring elderly pro se litigants on walkers to file paper pleadings while disheveled physically capable attorneys e-file from home with a click — asserting that local court rules override the U.S. Constitution

AFFIDAVIT OF JO ANNE FELDMAN

In Support of Emergency Relief and Federal Jurisdiction

I, Jo Anne Feldman, under penalty of perjury, declare the following to be true and correct. I am the 81-year-old mother of Dr. Daniel J. Feldman. I have personally assisted my son throughout the litigation of his civil rights and eviction matters by hand-delivering court filings, attending court session via Zoom, and serving as his authorized agent while he has been outside the country under medical care. I submit this affidavit in support of the emergency motions and federal jurisdiction in Case No. 3:25-CV-271-GNS.

I. FILING EXPERIENCE AND CLERK INTERACTIONS

1. Over the past month, I have delivered legal pleadings on my son's behalf to the Jefferson Circuit and District Courts on at least eight occasions. These included verified complaints, ADA motions, notices of removal, and TRO requests.
2. My experience with filing clerks has generally been respectful. In particular, a woman named Chanta at Jefferson District Court was consistently polite and professional.
3. However, during a group phone call with a clerk at Jefferson County District Court, May 1, 2025, on or about 10:23am, my son explained that requiring elderly pro se litigants to file in person — while attorneys could submit unsworn documents electronically — violated the Fourteenth Amendment and the Americans with Disabilities Act. The clerk laughed and replied, *"Oh, we hear that all the time. Sorry, but it's the rule."* This response acknowledged the concern while simultaneously refusing to address it. I was holding my phone in video mode and clearly recall the clerk's words and tone of dismissiveness. The policy in question required me, an 81-year-old woman using a rollator due to COPD, to hand-deliver sworn legal pleadings to a courthouse window — while opposing attorneys could file unsworn documents from home with a click.

II. ZOOM HEARING – MAY 13, 2025

4. On May 13, 2025, I joined the Jefferson District Court eviction hearing via Zoom from my dining room. My son appeared from his hospital bed, visibly connected through a hospital network, with a wristband and IV in view.

5. We remained respectfully silent and seated for over an hour while dozens of other participants — mostly attorneys, landlords, and management representatives — were heard by the court.
6. Mr. John Benz appeared casually dressed and slouched. At one point, I personally witnessed him pick his nose and appear to consider eating it before wiping it off on his hand. This occurred while he was visible to the court and other participants.
7. During this hearing, Judge Langford openly joked with Mr. Benz about "saving the heavy case for last," clearly referring to my son's matter. When his case was finally called, she flipped through the papers, remarking sarcastically that my son "didn't seem to have any trouble submitting so many documents." At no point did she pause to review them.

III. DENIAL OF DUE PROCESS AND OBSTRUCTION

8. When my son's case was finally called, both of our video feeds were briefly visible, then cut off. My son was allowed to begin speaking, but was cut off almost immediately and never sworn in. I was not allowed to speak or respond, nor was I asked to testify or present the documentation I had prepared.
9. I observed other attorneys, landlords, and management representatives being treated with courtesy and deference. By contrast, my son — a disabled litigant in a hospital bed — was silenced and summarily ruled against.

10. I was extremely disturbed by what I witnessed next. My son attempted to raise the fact that he had offered to pay rent and had submitted written proof to the landlord and their counsel. Mr. Benz then falsely claimed — without being sworn in — that my son had never attempted to pay. I had personally read those emails and knew that what Mr. Benz said was not true. The judge did not question him or allow my son to correct the record.
11. I also witnessed Blake Heath, the apartment complex director, testify that he had no knowledge of any rent payment attempts. That too was false. My son had contacted him directly in writing, and I had seen those communications. The court permitted both Mr. Benz and Mr. Heath to misrepresent the facts while denying my son the chance to respond.
12. In the past, I attempted to visit my son's apartment complex to collect documents and review posted notices. Management told my son I was "not allowed" on the premises — despite having written authorization. I entered the main mail area on my own but was told I could not access the package delivery room where my son had been notified within a couple of days that a medication package had been delivered. This occurred in February before any "non payment issue," yet they told me my son no longer lived there. Not even two weeks later, I retrieved notices posted on his door despite their insistence, "he no longer lived there."

IV. IMPROPER SERVICE AND MISREPRESENTATION

13. On May 14, 2025, I found a printed copy of the landlord's response to my son's federal removal in our mailbox. It had been sent via first-class mail, postmarked May 12, 2025. It was not delivered by certified mail, nor was it sent via email. My son remains outside the country, and I had to scan and send him the documents myself. For Mr. Benz to mail a response on May 12th would mean he received the removal before the eviction hearing.
14. I also heard Mr. Benz tell the judge during the May 13 hearing that my son was "too late" to remove the case to federal court. My son filed the Notice of Removal on May 12, 2025, and served all parties.

V. VERIFICATION

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed on: May 15, 2025
Louisville, Kentucky

Jo Anne Feldman (May 15, 2025 22:38 EDT)

Jo Anne Feldman
Mother and Courier for Plaintiff, Pro Se
8809 Denington Drive
Louisville, KY 40222

Supplemental Affidavit of Jo Anne Feldman (May 16, 2025) – firsthand account of document refusal and sheriff obstruction, including quotes from Deputy T. Clark.

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25CV-271-GNS

CHIEF JUDGE GREG N. STIVERS

SUPPLEMENTAL AFFIDAVIT OF JO ANNE FELDMAN DOCUMENTING JUDGE LANGFORD'S DEFIANCE AND SHERIFF'S OBSTRUCTION

TO THE HONORABLE CHIEF JUDGE GREG STIVERS OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

"We can only accept documents from Judge Langford."
— Deputy Clerk and Officer T. Clark of the Jefferson County Sheriff's Office, 531 Court Street, May 16, 2025, 11:55 AM and 12:10 PM, respectively

Said in response to a federally filed and time-stamped jurisdictional notice served in compliance with **28 U.S.C. § 1446(d)**, which requires all state enforcement be halted unless and until the case is remanded. This rejection demonstrates systemic coordination between local enforcement and state judges to ignore federal law, deny ADA access, and unlawfully proceed with eviction under a void state order.

AFFIDAVIT OF JO ANNE FELDMAN

I, **Jo Anne Feldman**, declare under penalty of perjury:

1. I am the mother of Dr. Daniel J. Feldman, Plaintiff in Case No. 3:25-CV-271-GNS. I am 81 years old and have COPD. I assist my son as his authorized agent due to his medical and geographic constraints.
2. On **May 16, 2025**, around 11:50 a.m., I visited the **Jefferson County Sheriff's Office – Civil Process Division** located on the **5th floor of the Hall of Justice** on Court Street, Louisville, Kentucky, between Jefferson and Market Streets.
3. My husband parked on 5th Street and waited for me in the car. There was no handicap parking near the building, so I had to walk over a block using my rollator walker.

4. I went to the process window and asked the woman at the counter if I was in the right place to deliver a legal document. She said I was, then looked at the document and said she needed the paperwork from Judge Langford, and that an appeal could be made to her decision. I informed her that the federal case had been entered on Monday, May 12, before the hearing on May 13, and the hearing was supposed to be stayed.
5. She took the document and went to the back and told me to wait outside a locked door. After a delay, Deputy T. Clark came out and told me directly that he would not accept the document. He said it "appeared counterfeit," even though it had a federal court caption and a clear file stamp. While this was happening, I was on a video call with my son, Daniel, who explained to him that the page from the federal court was indeed what the federal court had sent him on Monday, May 12.
6. He went back into the office and then returned with the set the clerk had given him. I offered more copies, and he stated that he had made copies and didn't need any others.
7. He went back into his office, and I was left alone in the hallway, so I left and walked back to my car. I returned with all of the documents I came with, none initialed, altered, or accepted other than the verbal report that T. Clark made a copy.
8. Later that day, around 12:20 p.m., I went to **Jefferson District Court** where I met a clerk named **Chanta**, who was kind and respectful. She opened her closed window to assist me and treated me like a person. This shows that appropriate staff discretion is possible when officials are willing to follow the law.

9. I also affirm that during the **May 13, 2025 eviction hearing**, I personally heard **Judge Lisa Langford** say, in open court and on the record:

"I already know how the federal judge is going to rule."

She made this statement before entering judgment, despite knowing a federal removal had already occurred. This proves a disregard for federal authority and shows the judge acted with clear knowledge she was overstepping her jurisdiction.

10. These events demonstrate that not only did Judge Langford defy federal law, but **the Sheriff's Office supported her** by refusing to acknowledge a lawful federal filing — reinforcing a system that blocks pro se and disabled litigants from enforcement of their rights.

VERIFICATION

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed on: May 15, 2025
Louisville, Kentucky

JO ANNE FELDMAN (May 16, 2025 14:44 EDT)

Jo Anne Feldman
Mother and Courier for Plaintiff, Pro Se
8809 Denington Drive
Louisville, KY 40222

Filed Statement of Federal Jurisdiction and Void State Order (filed May 16 to Jefferson District Court)

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

DEFENDANT, PRO SE DANIEL J. FELDMAN

COMMONWEALTH OF KENTUCKY

HIGHMARK RESIDENTIAL LLC FOR SREIT IVY LOUISVILLE, L.L.C. , Plaintiffs, v. DANIEL FELDMAN, AND ALL OTHER OCCUPANTS Defendants Case No. 3:25-CV-271-GNS (Federal Removal from 25-C-003961	DISTRICT COURT FOR JEFFERSON COUNTY DIVISION: FORCIBLE DETAINER CASE: 25-C-003961 Judge: **HONORABLE LISA L. LANGFORD** Filed: May 16, 2025 **STATEMENT OF FEDERAL JURISDICTION AND VOID STATE ORDER**

STATEMENT OF FEDERAL JURISDICTION AND VOID STATE ORDER

This letter serves as formal notice that the above matter — originally Jefferson District Court Case No. 25-C-003961 — was **properly removed to federal court** on **May 12, 2025** under **28 U.S.C. §§ 1441, 1443, and 1446(d)**. The federal case is now pending as:

Daniel J. Feldman v. SREIT IVY Louisville, LLC et al.

U.S. District Court – Western District of Kentucky

Case No. 3:25-CV-271-GNS

Assigned Judge: Chief Judge Greg N. Stivers

"The State court shall proceed no further unless and until the case is remanded."

This statute is automatic and self-executing. The effect of removal is to immediately divest the state court of jurisdiction. Despite this, the Jefferson District Court issued an eviction order on **May 13, 2025**, one day after federal removal. This order is **void ab initio** and has no legal effect. Any enforcement action based on that order is unauthorized.

The Plaintiff is not refusing to comply with a state court order. Rather, Plaintiff is complying with controlling federal law, which prohibits enforcement of any post-removal judgment until and unless the federal court remands the case. At present, no remand has occurred.

🚫 REQUEST FOR ENFORCEMENT HOLD

You are hereby requested to:

1. **Halt all enforcement** actions, including eviction, lockout, or removal;
2. **Notify any officers** tasked with executing writs that this order is **federally preempted**;
3. Direct all questions or urgent communications to the contacts below.

CONTACT FOR LEGAL CONFIRMATION

Dr. Daniel J. Feldman

Email: danieljfeldmanphd@gmail.com

Phone (Uruguay): +1 (307) 699-3223

Jo Anne Feldman (Authorized Agent)

Email: jojofeld@bellsouth.net

Phone: 502-429-3567 (home) | 502-797-2506 (cell)

Address: 8809 Denington Drive, Louisville, KY 40222

We appreciate your attention and compliance with federal law.

Respectfully,

Daniel J. Feldman, Ph.D. **Date: May 16, 2025**
8809 Denington Dr.
Louisville, KY 40222
(307) 699-3223 danieljfeldmanphd@gmail.com

Filed Notice of Federal Jurisdiction and Enforcement Stay (delivered to Sheriff's Office — includes signage/postings)

including

Federal Case Assignment Notice (filed May 12 — stamped and assigned to Chief Judge Stivers)

NOTICE OF FEDERAL JURISDICTION AND ENFORCEMENT STAY

To: Jefferson County Sheriff's Office — Civil Process Unit
From: Dr. Daniel J. Feldman, Pro Se Plaintiff
Date: May 17, 2025
Re: Case No. 3:25-CV-271-GNS (Federal Removal from 25-C-003961)

Dear Officer,

This letter serves as formal notice that the above matter — originally Jefferson District Court Case No. 25-C-003961 — was **removed to federal court** on **May 12, 2025** under **28 U.S.C. §§ 1441, 1443, and 1446(d)**. The federal case is now pending as:

Daniel J. Feldman v. SREIT IVY Louisville, LLC et al.
U.S. District Court – Western District of Kentucky
Case No. 3:25-CV-271-GNS
Assigned Judge: Chief Judge Greg N. Stivers

Under **28 U.S.C. § 1446(d)**, the removal to federal court **immediately divested the state court of jurisdiction**. The U.S. District Court now has exclusive jurisdiction. All state court proceedings are stayed by law.

"The State court shall proceed no further unless and until the case is remanded."

Despite this, Judge Lisa Langford of Jefferson District Court issued an eviction order on **May 13, 2025**, one day after federal removal. This order is **void ab initio** and has no legal effect. Any enforcement action based on that order is unauthorized, and proceeding under it could expose enforcement officers to liability.

<u>This is not a discretionary or advisory request — it is a notice of federal preemption.</u>

🚫 REQUEST FOR ENFORCEMENT HOLD

You are hereby requested to:

1. **Halt all enforcement** actions, including eviction, lockout, or removal;
2. **Notify any officers** tasked with executing writs that this order is **federally preempted**;
3. Direct all questions or urgent communications to the contacts below.

📩 CONTACT FOR LEGAL CONFIRMATION

Dr. Daniel J. Feldman
Email: danieljfeldmanphd@gmail.com
Phone (Uruguay): +1 (307) 699-3223

Jo Anne Feldman (Authorized Agent)
Email: jojofeld@bellsouth.net
Phone: 502-429-3567 (home) | 502-797-2506 (cell)
Address: 8809 Denington Drive, Louisville, KY 40222

We appreciate your attention and compliance with federal law.

Respectfully,

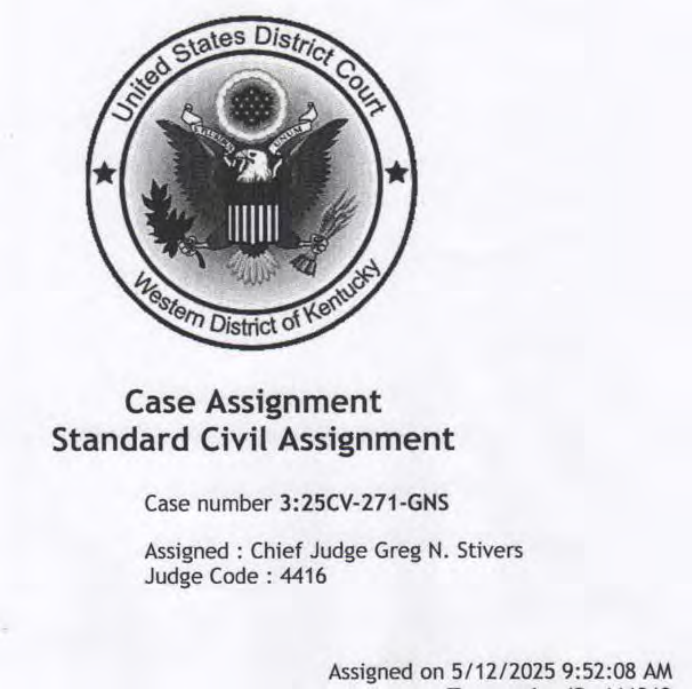
Daniel J. Feldman, Ph.D.
Pro Se Plaintiff

Case Assignment
Standard Civil Assignment

Case number **3:25CV-271-GNS**

Assigned : Chief Judge Greg N. Stivers
Judge Code : 4416

Assigned on 5/12/2025 9:52:08 AM
Transaction ID: 111313



🛑 NOTICE:

FEDERAL JURISDICTION —

DO NOT ENTER OR ENFORCE

Pursuant to 28 U.S.C. § 1446(d)

This property is under the jurisdiction of the **U.S. District Court for the Western District of Kentucky**.

⚖️ **LEGAL STATUS**

All state court authority over this matter is **terminated** as of May 12, 2025.
Pursuant to **28 U.S.C. § 1446(d)**:

"The State court shall proceed no further unless and until the case is remanded."

Any order entered by the Jefferson District Court after this date — including the **May 13, 2025 eviction order** — is **void ab initio** and has no legal effect.

Judge Lisa Langford's ruling was entered in violation of federal removal statute.

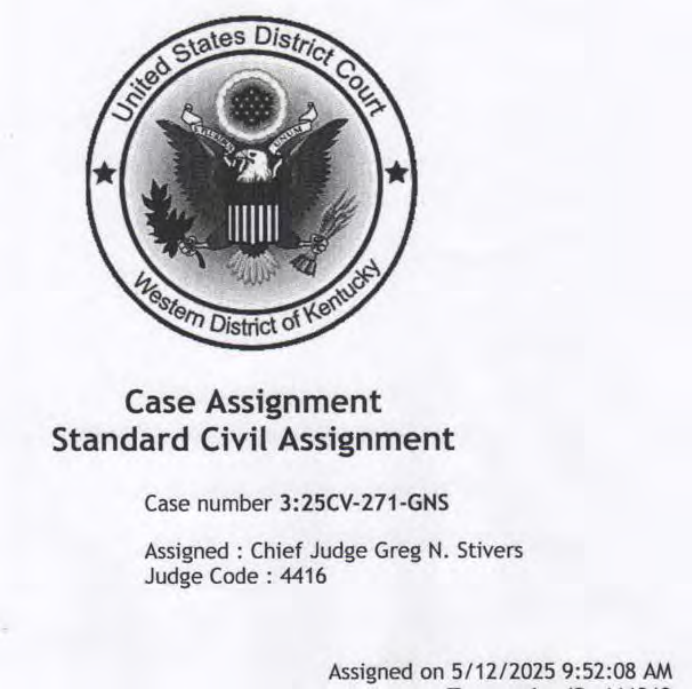
❌ **ENFORCEMENT OFFICIALS: TAKE NOTICE**

- **No eviction, entry, or possession transfer** may lawfully proceed.
- **Any enforcement attempt may constitute unlawful action** under federal law.
- **Any action taken pursuant to a void state order may result in liability.**

📩 **CONTACT FOR URGENT LEGAL VERIFICATION:**

Daniel J. Feldman, Ph.D. **307-699-3223 (cell)**
Email: danieljfeldmanphd@gmail.com

Jo Anne Feldman (authorized agent)
Phone: 502-429-3567 (home) | 502-797-2506 (cell)
Email: jojofeld@bellsouth.net
Address: 8809 Denington Drive, Louisville, KY 40222



🛑 NOTICE:

FEDERAL JURISDICTION —

DO NOT ENTER OR ENFORCE

Pursuant to 28 U.S.C. § 1446(d)

This property is under the jurisdiction of the **U.S. District Court for the Western District of Kentucky**.

⚖️ **LEGAL STATUS**

All state court authority over this matter is **terminated** as of May 12, 2025.
Pursuant to **28 U.S.C. § 1446(d)**:

"The State court shall proceed no further unless and until the case is remanded."

Any order entered by the Jefferson District Court after this date — including the **May 13, 2025 eviction order** — is **void ab initio** and has no legal effect.

Judge Lisa Langford's ruling was entered in violation of federal removal statute.

❌ **ENFORCEMENT OFFICIALS: TAKE NOTICE**

- **No eviction, entry, or possession transfer** may lawfully proceed.

🚫 **STORAGE UNIT TRESPASS NOTICE**

These storage units are private property and subject to federal jurisdiction.
No entry, unlocking, removal, or access is permitted by any party, including The Ivy Apartments, Highmark Residential, or their agents.
Any unauthorized access will be treated as **criminal trespass** and will be reported.

📩 **CONTACT FOR URGENT LEGAL VERIFICATION:**

Daniel J. Feldman, Ph.D. 307-699-3223 (cell)
Email: danieljfeldmanphd@gmail.com

Jo Anne Feldman (authorized agent)
Phone: 502-429-3567 (home) | 502-797-2506 (cell)
Email: jojofeld@bellsouth.net
Address: 8809 Denington Drive, Louisville, KY 40222

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

CHIEF JUDGE GREG N. STIVERS

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF FEDERAL JURISDICTION AND REBUTTAL TO EXPECTED MOTION TO REMAND

TO THE HONORABLE CHIEF JUDGE STIVERS OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF FEDERAL JURISDICTION AND REBUTTAL TO EXPECTED MOTION TO REMAND

I. INTRODUCTION & PROCEDURAL HISTORY

Plaintiff **Dr. Daniel J. Feldman**, a disabled, pro se litigant recovering from a medically verified stroke diagnosis, removed this action to federal court on **May 12, 2025**, pursuant to **28 U.S.C. §§ 1441, 1443, and 1446(d)**. The removal covered two related state court cases: **Jefferson Circuit Court Case No. 25-CI-002530** and **Jefferson District Court Case No. 25-C-003961**. Both matters arise from a common nucleus of **discriminatory, retaliatory, and unconstitutional conduct** by the named Defendants and were consolidated by necessity in Plaintiff's emergency federal filings.

This removal is also grounded in **structural violations of the Fourteenth Amendment**, specifically the **Equal Protection Clause**, as enforced through **28 U.S.C. § 1443(1)**. Plaintiff, as a disabled, pro se litigant, was **denied equal access to the court system**. Kentucky courts enforced **disparate filing rules** that allowed represented parties to **electronically file, skip verification, and submit unserved, false pleadings**—while simultaneously requiring Plaintiff to **physically deliver verified pleadings in person through his 81-year-old mother** using a walker. Verified emergency pleadings were rejected, while unverified lies from opposing counsel were accepted without scrutiny. This **two-tiered system of access** constitutes a **systemic denial of equal protection** under the law.

Despite valid removal, the **Jefferson District Court**, presided over by **Judge Lisa Langford**, proceeded with an **eviction hearing on May 13, 2025**—after removal had divested state jurisdiction under **§ 1446(d)**—while Plaintiff remained hospitalized. Plaintiff was connected to the court via Zoom from a hospital bed. **Judge Langford refused to consider Plaintiff's verified filings**, mocked their volume, and adopted false, unverified statements by opposing counsel. Meanwhile, **Jefferson Circuit Judge Sarah Clay** had **refused to docket or consider Plaintiff's TRO filings** submitted in early April, relying solely on an unverified, unserved response by opposing counsel.

This memorandum confirms that **federal jurisdiction is both proper and mandatory** and rebuts any expected motion to remand by Defendants, whose counsel, **John Benz**, has misrepresented the record to both state and federal courts.

II. STATUTORY BASIS FOR REMOVAL

Plaintiff brings this case under the following federal and state statutes:

- **28 U.S.C. § 1441** – General civil removal
- **28 U.S.C. § 1443(1)** – Civil rights removal where rights cannot be enforced in state court
- **28 U.S.C. § 1446(d)** – Automatic stay of state court proceedings
- **42 U.S.C. § 12132** – ADA Title II
- **42 U.S.C. § 3617** – Fair Housing Act anti-retaliation
- **KRS § 383.705** – Kentucky landlord retaliation statute
- **KRS § 344.280** – Kentucky civil rights retaliation statute
- **CR 11** – Bar on false filings
- **CR 65.04** – TRO standards

III. FEDERAL JURISDICTION AND JUDICIAL MISCONDUCT

A. Proper Removal Under 28 U.S.C. § 1443

Federal jurisdiction is not discretionary. Removal under **§ 1443(1)** is warranted where a litigant "is denied or cannot enforce in the courts of such State a right under any law providing for the equal civil rights of citizens." Plaintiff, a disabled litigant, was denied access to court on equal terms due to procedural, physical, and institutional barriers:

- Verified emergency filings rejected or ignored
- Unverified attorney submissions accepted and relied upon
- Clerk staff refused to docket TRO/ADA pleadings
- Judges refused to hold hearings or consider verified requests

B. Automatic Stay Under 28 U.S.C. § 1446(d)

Plaintiff filed the **Notice of Removal** on **May 12, 2025**, and served all required parties. Despite this, **Judge Langford** held a hearing on **May 13, 2025**, in direct violation of the automatic stay provision. Any orders or enforcement actions stemming from that hearing are **void ab initio**.

C. Judicial Misconduct and Discriminatory Conduct

- **Judge Langford**: refused to swear in Plaintiff, muted his feed, mocked his filings as "stall tactics," and denied questioning of both **John Benz** and **Blake Heath** (blocking as hearsay even direct knowledge).
- **Judge Clay**: refused to docket verified emergency pleadings, relied only on Benz's unverified April 8 filing, and ruled **ex parte** on April 9, without hearing or ADA accommodation.

Judge Clay's April 9, 2025 order makes no reference whatsoever to Plaintiff's verified ADA motion, TRO, or supporting declarations. Although these documents were physically delivered to the court and included in Plaintiff's verified submissions, court staff treated them as "courtesy copies" and refused to docket them. As such, there is no indication that Judge Clay reviewed or adjudicated Plaintiff's ADA request. Nonetheless, opposing counsel has falsely claimed that the ADA motion was denied — a claim unsupported by the record and contradicted by the absence of any ruling, citation, or procedural acknowledgment in the April 9 order.

D. Docket Placement and Denial of Medical Care

Judge Langford coordinated with Benz to **"save the heavy case for last,"** delaying the hearing until Plaintiff had missed hospital rounds. Medical care was denied as Plaintiff held off nurses to attend the Zoom hearing.

E. Procedural Disparities in Local Rules

- **District Court Local Rule 2** – rigid formatting rules
- **Rule 5** – attorneys may e-file, pro se must file in person
- **Rule 7** – extra burdens on self-represented parties
- **Circuit Rule 1406** – strict signature ID requirements
- **Circuit Rule 5** – complex commissioner practice rules

These rules create a **bifurcated legal system** violating the **Fourteenth Amendment** and reinforcing removal under **§ 1443(1)**.

IV. FALSE REPRESENTATIONS BY DEFENSE COUNSEL AND JUDICIAL RELIANCE ON UNVERIFIED CLAIMS

A. Counsel's Misrepresentation of Rent Communications

In his May 12, 2025 filing titled *"Plaintiff's Response to Federal Removal"* (Exhibit A), attorney **John Benz** falsely stated:

"Plaintiff has made no effort to pay rent."

This statement was:

- **Unverified**
- **Never served on Plaintiff**
- **Contradicted by the documentary record**

The verified evidence includes:

- **February 4, 2025** – Plaintiff submitted an official *Notice of Intent to Vacate*.
- **February 5–March 6, 2025** – Weekly phone calls to Ivy management (**Mary Beth Woodard**, "Shelly [Ashley]") regarding:
    - Payment coordination
    - Reimbursement offsets
    - Remote access accommodation
- **March 18, 2025** – Email to Ivy staff Blake requesting ADA-compliant payment process and full accounting

  See Exhibit A-2, Doc. 11, PDF pp. 389–390.

- **March 22, 2025** – Email to **Benz and Rawn** requesting rent instructions

  See Exhibit A-1, Doc. 13, PDF pp. 354–356.

- **March 28, 2025** – Follow-up email rejecting Rawn's offer and demanding proper payment channels

  Exhibit A-1, Doc. 14, PDF pp. 391–393.

Ivy disabled Plaintiff's RentCafe access, making online payment impossible. Ivy staff refused to provide any alternate instructions. Plaintiff's 81-year-old mother was **barred from entering the leasing office**, and rent payment was blocked by design.

Benz's statement was not a mistake — it was a **deliberate misrepresentation in violation of CR 11**, and relied upon by the state court in issuing an adverse ruling.

B. Judicial Reliance on Counsel's False Statements

- **Judge Langford** allowed Benz to speak freely without oath, presenting false claims regarding Plaintiff's intent to pay rent.
- Plaintiff attempted to correct the record on Zoom — but was **muted**, **cut off**, and **denied rebuttal**.
- When Plaintiff attempted to question Benz and Heath, Langford sustained objections and **barred all cross-examination**.

- **Judge Clay**, in her **April 9, 2025 order**, cited only the **unverified April 8 filing by Benz** — ignoring:
    - Plaintiff's 16 verified filings
    - ADA requests
    - TRO, declarations, and 150+ pages of evidence

See Exhibit A-4, Doc. 29, PDF pp. 267–268.

This is not procedural oversight — it is evidence of systemic judicial preference for represented parties over pro se litigants, especially those with disabilities.

C. Disparate Access and the Two-Tier System

The pattern is unmistakable:

Represented Parties (Attorneys)	Pro Se Litigants (Disabled/Unrepresented)
May file electronically	Must hand-deliver verified filings
Are granted informal court access	Are gatekept by clerks
Submit unverified filings	Must verify all pleadings
Receive judicial deference	Are cut off, muted, and accused of stalling

This disparity is not merely a procedural inconvenience — it is a **constitutional injury**. The **Equal Protection Clause** prohibits courts from applying different rules to different parties based on representation status. When those disparities correlate with disability, class, or pro se status, they trigger **strict scrutiny** under both federal law and § 1443.

D. Perjury by Sworn Witness and Judicial Suppression of Rebuttal Evidence

At the May 13, 2025 hearing, **Blake Heath**, Ivy's property manager, was sworn in and asked directly by Plaintiff whether he had any **personal knowledge** of Plaintiff requesting to pay rent to any member of the Ivy staff. Heath testified under oath that, following his own May 13, 2025 email, he had not received — nor was he aware of — any such communication from Plaintiff.

This statement was **false**, and **knowingly so**.

The verified record proves otherwise. As shown in Plaintiff's filed State Court Compilation:

- **March 18, 2025 Email to Ivy Staff**:
  Sent to management including Heath, requesting payment coordination and ADA-compliant instructions while Plaintiff was abroad
  → *Exhibit A-2, Doc. 11, PDF pp. 389–390*
- **March 22, 2025 Email to John Benz and Michelle Rawn**:
  Copied to Ivy management, including **Blake Heath**. Requests rent payment instructions and reiterates offer to pay March rent under protest
  → *Exhibit A-1, Doc. 13, PDF pp. 354–356*
- **March 28, 2025 Email to Michelle Rawn**:
  Copied to **Blake Heath**. Rejects Ivy's "offer of possession," again demands written accounting, and affirms intent to pay rent
  → *Exhibit A-1, Doc. 14, PDF pp. 391–393*

Thus, **Heath received and read the very emails he denied existed**. His testimony was **material perjury** on a central fact — and Judge Langford permitted it.

When Plaintiff attempted to impeach Heath with the documentary evidence already before the court, **Judge Langford refused to allow it**. Instead, she stated:

"**I don't believe you.**"

This declaration came **after mocking Plaintiff's filings**, **flipping through them without reading**, and calling them "stall tactics." She did not permit Plaintiff to point to the documents proving perjury, even though those filings were in front of her — filed, stamped, and verified.

Judge Langford further **barred Plaintiff from questioning Attorney John Benz**, stating:

"Mr. Benz is not a material witness."

This, despite the fact that Mr. Benz:

- Had filed the false May 12 "Response to Federal Removal"
- Had been directly emailed by Plaintiff
- Was the author of multiple misstatements adopted by the court as fact

While Benz's statements were accepted **without oath or verification**, Plaintiff was denied the right to challenge or rebut them.

This closes the circle of constitutional harm:

A pro se, disabled litigant was silenced and disbelieved — while unverified, false testimony was protected and adopted.

V. LEGAL AUTHORITY SUPPORTING FEDERAL JURISDICTION

A. Federal Statutes

Plaintiff's removal is authorized and compelled under:

- **28 U.S.C. § 1441** – General civil removal.
- **28 U.S.C. § 1443(1)** – Removal of civil rights cases when state courts deny equal enforcement of federal rights.
- **28 U.S.C. § 1446(d)** – Stay of all state proceedings upon filing and service of removal.
- **42 U.S.C. § 12132** – ADA Title II: bars public entities from excluding individuals with disabilities from court access.
- **42 U.S.C. § 3617** – Fair Housing Act: prohibits interference or retaliation against those asserting housing rights.
- **KRS § 383.705** – Kentucky statute barring landlord retaliation.
- **KRS § 344.280** – Kentucky statute protecting individuals from retaliation for civil rights complaints.
- **CR 65.04** – Governs TROs in Kentucky based on irreparable harm and likelihood of success.
- **CR 11** – Prohibits false or frivolous filings and misrepresentations.

B. Controlling Case Law

- **Tennessee v. Lane**, 541 U.S. 509 (2004)

  ADA Title II applies to access to courts; exclusion based on disability violates the Fourteenth Amendment.

- **Bloch v. Frischholz**, 587 F.3d 771 (7th Cir. 2009)

  Repeated obstruction of housing rights is actionable under 42 U.S.C. § 3617.

- **Turley v. ISG Lackawanna, Inc.**, 774 F.3d 140 (2d Cir. 2014)

  Courts may award damages for civil rights violations resulting in physical/emotional injury.

- **Foster v. West Plaza**, 371 S.W.3d 908 (Ky. Ct. App. 2012)

  Kentucky landlords may not pursue rent while ignoring statutory obligations or unresolved offsets.

- **Jankowski Lee v. Cisneros**, 91 F.3d 891 (7th Cir. 1996)

  Retaliatory conduct by landlords supports federal civil rights liability under the FHA.

- **Chambers v. NASCO, Inc.**, 501 U.S. 32 (1991)

  Federal courts have inherent power to sanction parties who act in bad faith.

- **Shaffer Equipment Co. v. U.S.**, 11 F.3d 450 (4th Cir. 1993)

  False statements and failure to correct the record constitute fraud on the court.

- **Reste Realty Corp. v. Cooper**, 251 A.2d 268 (N.J. 1969)

  A tenant may seek equitable relief where landlord conduct renders the premises uninhabitable or strips the tenant of meaningful possession. *Relevance:* Supports Plaintiff's demand for injunctive relief and federal protection where landlord's obstruction makes tenancy impossible.

- **Clark Equipment Co. v. Bowman**, 762 S.W.2d 417 (Ky. Ct. App. 1988)
  Interprets Kentucky CR 11 to authorize sanctions and remedial relief when false or misleading filings result in prejudice or injustice. *Relevance:* Supports Plaintiff's claim that John Benz's May 12 filing and Blake Heath's sworn statements constitute actionable misrepresentation.

VI. NATIONAL LEGAL RESEARCH ON PRO SE DISPARITY

A. Outcome Disparities

Multiple studies confirm that **pro se litigants are at a systemic disadvantage**, not due to merit, but due to **procedural inequality and judicial signaling**.

- **Rebecca A. Albrecht et al.**, *Judicial Techniques for Cases Involving Self-Represented Litigants*, Judicial Council of California (2016):

"Represented parties succeed 70–90% more often than unrepresented litigants."

B. Clerk Gatekeeping and Structural Bias

- **Kathryn A. Sabbeth**, *Simulating Access: Toward Equal Justice Under Law in the United States*, 41 Seattle U. L. Rev. 989 (2018):

> "Clerks do not see themselves as responsible for access to justice, but instead as gatekeepers protecting judges' time and dockets."

> This matches Plaintiff's experience: verified filings by an 81-year-old ADA agent were treated as "courtesy copies" and never docketed.

C. Judicial Signaling and Presumed Credibility Gaps

- **Rebecca L. Sandefur**, *Accessing Justice in the Contemporary USA*, American Bar Foundation (2014):

> "Judges often view unrepresented litigants as less credible, regardless of the accuracy of their claims."

Plaintiff's experience reflects this — filings were ignored, while Benz's false statements were accepted at face value.

VII. REQUESTED RELIEF

Plaintiff respectfully requests the following:

1. **Confirm that federal jurisdiction is proper** under 28 U.S.C. §§ 1441 and 1443(1);
2. **Declare the May 13, 2025 eviction judgment void ab initio;**
3. **Enjoin the Jefferson County Sheriff's Office** from enforcing any writ related to Case No. 25-C-003961;
4. **Deny or preempt any motion to remand;**
5. **Take judicial notice** of verified procedural discrimination and judicial conduct;
6. **Set an emergency hearing** by Zoom or video conference at the Court's earliest opportunity.

VIII. EXHIBIT LIST

A. Previously Filed and Incorporated by Reference

These exhibits were filed on May 16, 2025 with Plaintiff's Emergency Motion to Enforce Federal Removal and are not reattached here.

- **Exhibit A** – *Plaintiff's State Court Filing Compilation*
  Filed May 16, 2025. 459-page indexed set including verified TRO, ADA motion, declarations, communications, and court documents from Jefferson Circuit Court Case No. 25-CI-002530 and District Court Case No. 25-C-003961.
  Cited throughout by document number and PDF page.
- **Exhibit B** – *Emergency Motion to Enforce Federal Removal and Enjoin Unlawful Enforcement*
  Filed May 16, 2025. Includes procedural record, ADA obstruction, and request for injunctive relief.
- **Exhibit C** – *Affidavit of Dr. Daniel J. Feldman*
  Dated May 15, 2025; filed May 16. Supports TRO and ADA grounds. Included with Emergency Motion.
- **Exhibit D** – *Affidavit and Supplemental Affidavit of Jo Anne Feldman*
  Dated May 15–16, 2025; filed May 16. Affirms filing attempts, clerk obstruction, and sheriff refusal.

B. Filed with This Memorandum and Served on Defendants

- **Exhibit A-1** – *March 22 & March 28, 2025 Emails to Benz, Rawn, and Blake Heath*

  Verified emails regarding rent and reimbursement.

  March 22: Doc. 13, PDF pp. **354–356**

  March 28: Doc. 14, PDF pp. **391–393**

- **Exhibit A-2** – *March 18, 2025 Email to Ivy Management including Blake Heath*

  Requesting ADA accommodation and payment coordination.

  Doc. 11, PDF pp. **389–390**

- **Exhibit A-3** – *April 9, 2025 Order by Judge Clay*

  Order denying TRO without hearing; entered ex parte.

  Doc. 29, PDF pp. **263–266**

- **Exhibit A-4** – *April 1, 2025 Eviction Complaint Filed by Ivy in District Court*

  Filed in retaliation while TRO was pending.

  Doc. 19, PDF pp. **119–123**

- **Exhibit A-5** – *April 14, 2025 Notice of Intent to File Motion for Reconsideration*

  Filed within CR 59.05 window; not acknowledged in ruling.

  Doc. 27, PDF pp. **270–276**

- **Exhibit E** – *Jefferson County Local Rules (District & Circuit)*

  Includes:

  - **District Rule 5** – Guardianship and case procedures affecting disability access
  - **District Rule 7** – Citizen Complaints and Mediation access

- **Circuit Rule 1406** – Mandatory Identification Requirement (used to reject filings)

  Pages extracted from `D30LOCALRULES.pdf` and `C30LOCALRULES.pdf`

Respectfully submitted,

Daniel J. Feldman, Ph.D. Date: May 19, 2025

8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
Plaintiff, Pro Se

- **Exhibit A-1** – *March 22 & March 28, 2025 Emails to Benz, Rawn, and Blake Heath*

  Verified emails regarding rent and reimbursement.

  - March 22: Doc. 13, PDF pp. **354–356**
  - March 28: Doc. 14, PDF pp. **391–393**

Urgent: Request for Payment Instructions and Itemized Response to Reimbursement Claim

Daniel J. Feldman, Ph.D. Sat, Mar 22, 2025 at 9:22 AM
<danieljfeldmanphd@gmail.com>
To: John Benz <John@rawnlawfirm.com>, Michelle Rawn <Michelle@rawnlawfirm.com>
Cc: P_The Ivy-CD <TheIvyCD@highmarkres.com>, "Whitehouse, Jason" <JWhitehouse@highmarkres.com>, "MWoodard@HighmarkRes.com" <MWoodard@highmarkres.com>, Jo Anne Feldman <jojofeld@bellsouth.net>, evictions@rawnlawfirm.com, collections@rawnlawfirm.com

Dear Ms. Rawn, Mr. Benz, and Highmark/Ivy Management,

This message is to formally document that I have made **every reasonable and good-faith effort to resolve payment for March 2025 rent**, while Ivy and its legal counsel have systematically refused to provide clear instructions, timelines, or resolution pathways.

I submitted a formal move-out notice on **February 4, 2025**, which repeated outstanding reimbursement claims and provided more than the required notice under your lease. Since then, I have contacted your office **weekly** in February in an effort to coordinate rent offset or payment. I spoke on February 5 about rent in March with your current manager **Shelly**, who may be the most rude and unprofessional person I have ever dealt with at the Ivy, which is saying a lot considering Blake who could be certifiably socially and emotionally handicapped unable to even look anyone in the eye, Jennifer whose Karen-esque behavior would be punishable with mandatory prison sentences in multiple states, Larry the homophobic angry maintenance lead who thought it appropriate to enter tenants' apartments without permission to photograph their belongings and then claim his privacy was violated when caught on security camera doing so, the mysterious Jason Whitehouse who ghosts any attempt to communicate at all, to the disingenuous Mary Beth who can acknowledge and terminate employees for discrimination and harassment while simultaneously contributing to the same behavior. **Shelly** told me more than once that she was too busy to speak and would follow up the next day—**no one ever did**. I have made many international calls in advance of the March rent regarding payment and have

been systematically ignored.

You have known since **December 2024** that I am currently **travelling abroad** and that I disconnected my RentCafe account. Ivy responded to my February notice not by providing payment options, but by issuing less than a **24-hour rent threat five weeks later**, demanding cashier's check or money order delivery **without providing a payment address or contact person**.

Even after I responded in good faith with a formal demand letter, your attorney **John Benz** failed to provide any instructions for how to submit payment, while knowingly misrepresenting every single key fact in his letter. His out-of-office notice—received on **March 21, 2025 at 12:16 PM**, just before my stated deadline—provided no clear successor or payment path and further demonstrates Ivy's **intentional obstruction** of resolution.

I am once again requesting **written instructions** for how to submit rent payment from abroad, as I remain willing to pay the base rent **under protest** to protect my position, without waiving any claims.

Additionally, I request a clear, written accounting of what Ivy claims is owed, and a **line-by-line response to each reimbursement claim** I've submitted. These include:

- **$360** for improper pet fee charges after I no longer had a pet;
- **$1,000** for the referral bonus, which is clearly documented in Ivy's own email campaigns;
- **$150** for the unused wine concession balance, which was manually loaded at your office;
- **$2,850** for loss of quiet enjoyment during a critical medical recovery period, which resulted in permanent vision loss;
- And now, **any late fees or penalties**, which I fully contest.

If Ivy intends to assert that **late fees are justified**, I request an explanation of:

- How Ivy believes I was provided **any clear, actionable payment method**;
- How a **24-hour rent threat without instructions** constitutes valid notice;
- And how Ivy justifies charging penalties after refusing to answer my weekly calls in advance of the rent, speak with my authorized representative, or respond to my repeated requests for resolution.

If Ivy disputes any of these amounts, you must state so **explicitly and in writing**. If you continue to deny clearly documented facts—such as the existence of the referral

bonus or wine concession refund—you will be exposing your client to **fraud liability and significant civil exposure with damages trebled as justified in the previous email.**

Finally, please confirm whether Ivy intends to **acknowledge or deny liability** for the **permanent personal injury** I sustained due to their negligence, as outlined in detail in my demand letter. Continued silence will be taken as refusal to resolve and used to establish intent in litigation.

The continued refusal to respond, the denial of documented facts, and the lack of payment instructions are not simple oversights. This is **intentional gaslighting**, carried out over many months and across multiple levels of Ivy's management. It is clear that your legal representative is now being used—whether knowingly or negligently—as a **tool to continue that misconduct**. If Mr. Benz failed to verify the facts laid out in my demand letter, that is its own professional failing. If he was told false information and repeated it, that implicates your entire team in **further retaliation, misrepresentation, and obstruction**. Either way, the harm continues—and I will seek accountability accordingly including reporting legal misconduct to the Kentucky Bar Association.

Most sincerely,

Daniel J. Feldman, Ph.D.
Clinical Neuropsychologist and Touch Healer

+1 (307) 699-3223
+1 (435) 612-0242

"And now here is my secret, a very simple secret: It is only with the heart that one can see rightly; what is essential is invisible to the eye."
***The Little Prince** by Antoine de Saint-Exupéry*

On Fri, Mar 21, 2025, 12:16 Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> **Revised and Final Demand Letter to The Ivy Apartments & Highmark Residential**

Gmail

Daniel Feldman <danieljfeldmanphd@gmail.com>

Urgent: Request for Payment Instructions and Itemized Response to Reimbursement Claim

Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> Fri, Mar 28, 2025 at 1:06 PM
To: John Benz <John@rawnlawfirm.com>, Michelle Rawn <Michelle@rawnlawfirm.com>, evictions@rawnlawfirm.com, collections@rawnlawfirm.com, P_The Ivy-CD <theivycd@highmarkres.com>, "Whitehouse, Jason" <jwhitehouse@highmarkres.com>, "MWoodard@HighmarkRes.com" <mwoodard@highmarkres.com>
Cc: Jo Anne Feldman <jojofeld@bellsouth.net>

Subject: FINAL NOTICE – 3 Hours Remaining to Comply and Minimize Legal Exposure

Dear Ivy Management, John Benz, and Michelle Rawn,

This is your **final written notice**.

As of **this message**, you have exactly **three (3) hours remaining** to comply with the legal demands set forth in my March 27 letter. The final deadline is:

Today – Friday, March 28, 2025 at 4:00 PM EDT

I have made repeated, good-faith efforts to resolve this matter without escalation. You have ignored **eight months of communication**, and now an additional week following my final legal notice.

Despite that, no one from Ivy has contacted me. No one has responded by email. No phone call. No clarification. **Nothing.**

I was explicitly instructed by John Benz to direct future communications to **Michelle Rawn**, as the supervising attorney of Rawn Law Firm. I have done so. I have sent multiple emails to Ms. Rawn over the course of this week.

She has not responded.

As of this morning, **both Mr. Benz and Ms. Rawn have been named in a Kentucky Bar complaint** for misconduct, obstruction, and failure to provide legally required debt collection information. Regardless of whether you respond today, this matter is now part of the record with the Kentucky Bar Association.

If you fail to comply in full by 4:00 PM today:

- I will file my **retaliatory eviction defense** in Jefferson County,
- I will move to add Ivy and Highmark as **co-defendants** in my pending **$5 million California lawsuit**,
- I will pursue **trebled damages, defamation, conspiracy, conversion, and civil rights violations** under Kentucky and federal law.

Your exposure increases by the hour.

This is your final opportunity to respond. All three mandatory remedies must be fulfilled. No partial resolutions. No silence.

You now have until **4:00 PM EDT**. And Ms. Rawn, your misconduct is duly noted.

Daniel J. Feldman, Ph.D.
Clinical Neuropsychologist and Touch Healer

+1 (307) 699-3223
+1 (435) 612-0242

"And now here is my secret, a very simple secret: It is only with the heart that one can see rightly; what is essential is invisible to the eye."

The Little Prince *by Antoine de Saint-Exupéry*

On Thu, Mar 27, 2025 at 2:37 PM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

Subject: Final Legal Notice – Possession, Trespass, Mandatory Remedies, and Legal Exposure

Dear Ivy Management and Counsel,

This letter serves as **final legal notice** regarding your continued obstruction, false claims, and retaliatory conduct toward me, Daniel J. Feldman, Ph.D., resident of Apartment 3303 at The Ivy Apartments. It also puts you on notice of your legal exposure in both Kentucky and California jurisdictions.

As of **today, Thursday, March 28, 2025**, you have **exactly 24 hours** to respond in full. Your deadline is:

Friday, March 29, 2025, at 4:00 PM Eastern Daylight Time.

I have already filed today with:

- **HUD** under the Fair Housing Act;
- **The Kentucky Attorney General** for civil rights violations and housing retaliation;
- **The Kentucky Bar Association** regarding your attorney, John Benz, for debt collection misconduct and professional negligence.

If I do not receive full written resolution by the above deadline, I will:

- File a **retaliatory eviction defense** with Jefferson County Court,
- File to add Ivy and Highmark as third-party co-defendants in my **ongoing $5 million civil suit in California**, which includes slander, wrongful death, and housing retaliation.

Background and Legal Context

I am a **gay, permanently disabled, licensed clinical neuropsychologist and massage therapist**. I have lived in Apartment 3303 for over four years—possibly the **longest-standing resident** in the building. Until recently, I had **no history of nonpayment**, no lease violations, and no substantiated tenant disputes.

Over the past two years, I have been subjected to escalating:

- **Discriminatory harassment**,
- **Fabricated lease violations**,
- **Unlawful threats of eviction**, and
- **Complete obstruction** of my efforts to resolve payment and coordinate a lawful move-out.

Ivy has removed access to my **current signed lease** from the Rent Café portal while **retaining access to prior unlawful eviction threats and fabricated warnings.** Your behavior is not only retaliatory—it's obstructive, deceptive, and legally actionable.

Debt Collection Misconduct and Bar Complaint

Your attorney, **John Benz**, issued a letter identifying himself as a **debt collector**, but failed to provide:

- The **amount allegedly owed**,
- **Instructions for where or how to pay**,

- Or whether late fees were assessed and why.

Despite my mother's in-person attempt to resolve the issue—during which she was ejected from your office—**you have refused to provide any method of resolution.**

This conduct constitutes **debt collection misconduct**, legal obstruction, and is the basis of my bar complaint to the **Kentucky Bar Association**, filed today.

Legal Possession & Trespass Notice

I am retaining full legal possession of:

- **Apartment 3303**, and
- **My assigned storage units**

This is due to Ivy's:

- Failure to process my valid **February 4 move-out notice**,
- Failure to respond to my repeated communications,
- Failure to process offset requests for the **$4,360 you owe me**, and
- Refusal to provide a signed acknowledgment, payment instructions, or coordination of logistics.

  You are formally trespassed from entering the unit or storage units **for any reason** without a court order.

Any unauthorized entry constitutes:

- **Trespass**,
- **Conversion of personal property**,
- And **retaliation**, entitling me to **trebled damages** under Kentucky and federal law.

Mandatory Remedies – All Three Required

The following **three remedies must be fulfilled in full** by the deadline above. These are not optional. Failure to fulfill even one will trigger legal consequences.

Remedy 1: Paid International Relocation

You must:

- **Professionally pack and ship all of my belongings** (from apartment and storage units),
- Use an **insured, internationally certified moving company**,
- Coordinate directly with me for an **itemized inventory**,
- And cover all costs of:
  - Local pickup and handling,
  - Freight, taxes, customs duties,
  - Insurance and tracking,
  - Final delivery to my address in Costa Rica.

Remedy 2: Full Disclosure of All Communications Related to California Lawsuit

You must provide a full, written disclosure stating whether **any Ivy or Highmark staff**:

- Communicated with:
  - **My former landlord**,
  - Her **attorneys**,
  - Her **family**,
  - Her **employees**,
  - Or **any other individual** regarding me, my lawsuit, or my history;
- Received, repeated, or recorded **any defamatory information**;
- Shared **any information I provided**, or referenced my California case in any internal discussions or external communications.

  You previously denied knowledge of the California lawsuit—a provable falsehood, based on email communications from **March 6, 2023.**

You now have one final opportunity to **disclose the truth voluntarily**. If you fail and I have to resort to legal channels to subpoena all records and depose your employees, past and present, I will immediately pursue your inclusion in my **$5 million civil suit for conspiracy and defamation serving a complaint as early as next week.**

Who I Am – And Why the Slander Is So Outrageous

I am a **licensed clinical neuropsychologist**, a **massage therapist**, a **vegan**, and a **disabled gay man**. I've dedicated my life to **healing**, not harming. I have no history of violence, threats, arrests, or aggression—**none whatsoever**. I am perhaps the oldest tenant at the Ivy other than Alfredo.

Let me say that again:

> **There is no evidence—zero—that I have ever been violent toward anyone.**
> I'm a healer. I'm a doctor. I work with people in crisis. I protect them.

The claim that I'm a violent elder abuser—originally made by my former landlord—is not only false, it's **insulting** to everything I've built my life around. And it was already **proven false in 2020**, when she spent **ten months in court**, claiming to have "irrefutable evidence" of violence, only to produce:

- No 911 calls,
- No police reports,
- No witness statements,
- No medical records,
- No threats in writing,
- Not a single shred of evidence.

She dropped the case. She lost. And she paid me. The court record is clear.

And now, if Ivy has repeated or relied on her slander, then you are **knowingly aligning yourselves** with falsehoods already discredited in court—**slander that led directly to the death of my partner**, and to the trauma I am still living through today.

You know what I am. You have my lease history, my payment record, my profession. You have no history of violence, no lease violations. No unpaid rent until now—when I'm being forced to choose between protecting my rights and giving in to a system that's failed me.

So I ask—if you are landlords acting in good faith:

> Why would you ignore the tenant who paid for four years, without incident?
> Why would you listen to someone already proven to be lying in court?

Why would you threaten someone who's never threatened you?
Why would you choose harm over decency?

Maybe—just once—you could try being the landlord who **breaks the cycle.** Who helps the person who's had everything taken from him. Who chooses justice instead of aligning with injustice.

I am not your threat. I am a person who has been harmed enough—and who is asking you, one last time, to stop doing damage you cannot undo.

Remedy 3: Reimbursement Minus March Rent (No Late Fees)

You must remit by March 28, 4pm EDT or make a promise to remit no later than March 31, 4pm EDT:

- **$4,360 in verified reimbursement**,
- Minus **base March 2025 rent**,
- With **no late fees, no conditions, and no delays.**

You have failed to acknowledge this debt for over six months. You may not claim payment defaults while ignoring valid claims.

Legal Basis for Possession Without Rent

I retain possession under the lease's auto-renewal term because:

- You refused to process my move-out;
- You obstructed coordination;
- You ignored offset claims;
- And you removed access to my lease while refusing to respond to my communications.

My position is legally supported by:

Statutes

- **KRS § 383.695(2) –** Holdover claims are void if tenant gave valid notice and landlord refused to process it.
- **KRS § 383.705 –** Retaliatory eviction and threats are prohibited.
- **KRS § 383.615 –** Landlords must communicate in good faith and facilitate notices.
- **Contract Law – Setoff Doctrine –** Landlord debts may be offset against rent owed.
- **42 U.S.C. § 3617 –** Fair Housing Act retaliation provisions.
- **Eggshell Plaintiff Doctrine –** Damages are increased when known vulnerabilities are worsened by defendant conduct.

Precedents

- *Foster v. West Plaza, LLC*, 371 S.W.3d 908 (Ky. App. 2012)
- *Brown v. Southall Realty Co.*, 237 A.2d 834 (D.C. Ct. App. 1968)
- *Reste Realty Corp. v. Cooper*, 251 A.2d 268 (N.J. 1969)
- *Bloch v. Frischholz*, 587 F.3d 771 (7th Cir. 2009)
-

- ***Turley v. ISG Lackawanna, Inc.***, 774 F.3d 140 (2d Cir. 2014):
  Sustained harassment and worsening of known psychological disability supported compensatory and **punitive** damages.

- ***Tenenbaum v. Williams***, 880 F. Supp. 2d 162 (D. Conn. 2012):
  Landlord's inaction caused known medical condition to worsen.
  Court upheld damages, including emotional distress, as deliberate indifference.

- ***Robinson v. Chicago Housing Authority***, 1995 WL 500498:
  Retaliation in housing settings involving **disabled tenants** led to **compensatory and punitive** liability.

- ***United States v. Balistrieri***, 981 F.2d 916 (7th Cir. 1992):
  Foundational case affirming that **reckless disregard** for protected tenant rights opens the door to **treble damages.**

Correction: Staff Name Is Ashley

In previous letters and my mother's affidavit, I mistakenly identified the manager as "Shelly." The correct name is **Ashley**, who has:

- Repeatedly promised return calls and failed,
- Refused to identify herself clearly,
- Treated me and my 81-year-old mother with **hostility, dismissal, and silence.**

She is emblematic of the pattern of **bad-faith management** that Ivy has maintained throughout this process. She has been so short with me that I barely had time to get her first name, and she refused to give me her last name. What a horror freak show! It should be noted that in my communications with my neighbors, they have indicated that they have stopped referring new tenants to the Ivy and will no longer be renewing their leases due to the rudeness of Ashley and Blake, in particular. These "community directors" perceive their roles to be disciplinarians and gatekeepers instead of helpful assistants to tenants who may need their services: lording over the tenants instead of providing a service. It is gross. Katrina, the previous manager, was courteous and professional, always, and she is missed according to nearly any neighbor in contact with me.

Communication Requirements

All future notices must be delivered by:

- **Email** to danieljfeldmanphd@gmail.com, or
- **Phone call** to +1 (307) 699-3223 or +1 (435) 612-0242.

I do **not consent to door postings**, paper letters at the unit, or messages withheld from me. You have known since **December 2024** that I am **outside the country.** Please note that my current mail is being received at 8809 Denington Dr, Louisville, KY, 40222, if you insist on mailing **in addition to** email and phone contact.

Any failure to use proper channels will be treated as **intentional obstruction** and added to the record of retaliation.

Deadline: 24 Hours from Today

Final deadline: Friday, March 29, 2025 at 4:00 PM EDT

You must confirm, in writing:

- That you will fulfill **all three mandatory remedies**,
- That you acknowledge the **trespass notice**,
- And that you understand **any further retaliation will be met with legal action.**

This is not a bluff.
This is not a delay tactic.
This is my final attempt to resolve a matter that should never have reached this point.

You have 24 hours.

Sincerely,

Daniel J. Feldman, Ph.D.
Clinical Neuropsychologist and Touch Healer

+1 (307) 699-3223
+1 (435) 612-0242

"And now here is my secret, a very simple secret: It is only with the heart that one can see rightly; what is essential is invisible to the eye."
The Little Prince *by Antoine de Saint-Exupéry*

- **Exhibit A-2** – *March 18, 2025 Email to Ivy Management including Blake Heath*

  Requesting ADA accommodation and payment coordination.

  Doc. 11, PDF pp. **389–390**

Gmail

Daniel Feldman (Daniel J Feldman, PhD)
<danieljfeldmanphd@gmail.com>

Formal Demand for Compliance, Compensation, and Lease Terms

Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> Tue, Mar 18 at 5:06 PM
To: The Ivy Apartment Homes <TheIvyApartmentHomes.Reply.Highmark@assist.rent>, P_The Ivy-CD <TheIvyCD@highmarkres.com>, P_The Ivy-ACD <TheIvyACD@highmarkres.com>, P_The Ivy-L1 <TheIvyL1@highmarkres.com>, P_The Ivy-L2 <TheIvyL2@highmarkres.com>, P_The Ivy-MS <TheIvyMS@highmarkres.com>, Jason Whitehouse <jwhitehouse@highmarkres.com>, Mary Beth Woodard <mwoodard@highmarkres.com>
Cc: Jo Anne Feldman <jojofeld@bellsouth.net>

Daniel J. Feldman, Ph.D.
8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com
+1 (307) 699-3223

March 18, 2025

Highmark Residential & VOC Phase I Owner, LLC
The Ivy Apartment Homes
3300 Altabrook Drive
Louisville, KY 40245

(Attachments: Affidavit from Jo Anne Feldman & Original Declaratory Judgment Filing)

Subject: Formal Demand for Compliance, Compensation, and Lease Terms RE: Apartment 3303 Storage Units S3 and S4

To Whom It May Concern,

I am writing to formally demand resolution of multiple violations and failures to adhere to our prior agreements regarding my lease at The Ivy Apartment Homes. Despite repeated attempts to engage with management, including my **formal request for a response by December 6, 2024**, I have yet to receive any acknowledgment or action regarding my concerns. Your continued inaction and negligent behavior have

directly impacted my ability to manage my housing situation, and I am now forced to take further legal and administrative action.

---

1. Previous Lawsuit & Violation of Settlement Terms

On **March 3, 2023**, I filed a **declaratory judgment lawsuit** against The Ivy and Highmark Residential due to **harassment, discrimination, and wrongful eviction threats.** The lawsuit clearly demonstrated the **pattern of targeted harassment and bad-faith eviction threats** used against me.

- Within **10 minutes of sending a courtesy copy of the lawsuit to Mary Beth Woodard**, she immediately **fired the manager responsible for the threats.**
- **As part of this resolution, Highmark Residential agreed to a moratorium on eviction threats and harassment.**
- **In reliance on this agreement, I withdrew the lawsuit.**

Despite this, The Ivy has **blatantly violated this agreement** and continued its **pattern of harassment, negligence, and financial misconduct.**

---

2. Extension of Move-Out Date & Rent Waiver

Due to your **prolonged negligence**, including failure to respond to my formal demands, I am **extending my move-out date to May 8, 2025**. This extension is necessary due to the significant delays caused by your inaction and mismanagement. Furthermore, **I do not acknowledge any financial responsibility for rent during April 2025**, as my ability to vacate was hindered solely by your failure to address my concerns in a timely manner.

Additionally, on **February 4, 2025, I submitted an official Notice of Intent to Move Out, which was a form provided by your office.** This document clearly outlined the reasons for my departure, yet you **have never signed, returned, or discussed it with me in any way, despite your own deadline of February 7, 2025.**

I attempted to discuss this with your team **dozens of times throughout February, including two unreturned calls to Mary Beth Woodard last week.**

You must provide written confirmation that:

- **My move-out date is extended to May 8, 2025.**
- **I am not financially responsible for rent in April 2025.**

- **No unauthorized entry or removal of my belongings from my apartment or storage areas will take place before my official move-out.**

---

3. Security Deposit, Reimbursement of Expenses, and Rent Deduction

You currently owe me the return of my **security deposit** and an additional **$3,360 in reimbursement**, **plus the unpaid referral award** (not included in the $3,360 total).

Breakdown of Reimbursement Owed:

- **$360 fraudulent pet fee charges** ($30/month for a pet I no longer own, despite multiple removal requests).
- **$2,850 for two months of lost quiet enjoyment** (due to your refusal to address extreme noise disturbances).
- **$150 for the wine concession balance** that was improperly withheld.
- **The unpaid referral bonus** for Jason and Sean Frew, who have resided at The Ivy for the required period but **for whom you have refused to pay the promised award.**

Additionally, **March rent must be deducted from what you owe me**:

- **I made multiple attempts to discuss offsetting this with my outstanding balance, but my requests were ignored.**
- **Your refusal to process my financial claims in good faith left me no choice but to withhold payment until resolution.**
- **You cannot claim unpaid rent while simultaneously ignoring my valid financial claims for months.**

---

4. Management's Intentional Avoidance and Bad-Faith Conduct

- Despite **knowing I am out of town**, you chose to **leave notices on my apartment door** instead of communicating via email or sending them to my official mailing address.
- On **Thursday, March 6, 2025**, I received an **urgent demand via email from Blake**, giving me **less than 24 hours' notice** to pay rent or face legal action.
- This demand is **deeply ironic**, given that **Blake, Shelley, Mary Beth Woodard, and Jason Whitehouse** have ignored my financial claims for **over eight months** while now suddenly making urgent demands.
- **Your refusal to engage in settlement discussions while simultaneously threatening legal action for rent you have ignored requests to offset is**

clear evidence of bad faith and retaliation.

---

5. Denial of Mail and Prescription Medication Retrieval (Affidavit Attached)

Attached is an **affidavit from my 81-year-old mother, Jo Anne Feldman**, detailing how after **driving in ice and snow**, she was denied access to retrieve my **life-sustaining medication** from your office.

- Despite previously **providing written authorization for her to retrieve mail on my behalf**, your new management falsely claimed I **"no longer live there"** and refused her entry to the package room, leaving **vital autoimmune medication inaccessible.**
- This reckless and negligent action has further compounded your liability and **endangered my health**, given that I suffer from **an autoimmune disorder similar to Lupus.**

---

6. Conspiracy Claim Warning & Final Demand

I demand that you confirm, in writing, **whether anyone at Highmark Residential or The Ivy Apartments has communicated with my former landlord, her attorneys, or her family regarding my tenancy in San Francisco from March 2013 to October 2020.**

- If you disclose that **such communications occurred and were based on slanderous claims**, I will **forego including you in the conspiracy claim** but will still hold you liable for your independent misconduct.
- However, if you **fail to disclose this information and I obtain proof through subpoenas**, I will **pursue a full conspiracy case against you.**
- My former landlord has **continued making knowingly false allegations against me**, which are the basis of a **$5 million lawsuit currently set for trial in August 2025** where I am the **plaintiff.**

---

7. Immediate Resolution Required

You are **required to respond in writing by Friday, March 21, 2025, at 4:00 PM EDT** to confirm:

- **Acknowledgment of my extended move-out date to May 8, 2025.**

- **Agreement that no rent is due for April 2025.**
- **Commitment that you will not unlawfully enter or remove my belongings before May 8, 2025.**
- **Confirmation of the return of my security deposit on May 8 and an additional $3,360 in reimbursement by Friday, March 21, 2025, at 5:00 PM EDT.**
- **Confirmation that the March rent, without late fees, will be deducted from what you owe me.**
- **A direct statement confirming whether your company has had communications with my former landlord.**

Failure to comply will result in **formal complaints filed with the Kentucky Attorney General, the Fair Housing Authority, and legal action seeking punitive damages.**

Sincerely,

Daniel J. Feldman, Ph.D.
Clinical Neuropsychologist and Touch Healer

+1 (307) 699-3223
+1 (435) 612-0242

"And now here is my secret, a very simple secret: It is only with the heart that one can see rightly; what is essential is invisible to the eye."
The Little Prince *by Antoine de Saint-Exupéry*

On Thu, Mar 13, 2025, 08:35 The Ivy Apartment Homes <TheIvyApartmentHomes.Reply.Highmark@assist.rent> wrote:

> Hello Daniel,
>
> We wanted to reach out and kindly ask if you could provide us with a date when you plan to pay your past due rent.
>
> We would like to make you aware that, if the payment is not received by Friday (03/14/25) at 12:00 PM, the account will be forwarded to our attorney and additional fees will be incurred.
>
> Please remember that payments must be made in the form of a cashier's check or

money order.

Thank you for your understanding and cooperation. Please don't hesitate to reach out if you have any questions or need assistance. We look forward to hearing from you soon.

Best Regards,

Christian Blake Heath at The Ivy Apartment Homes
(502) 401-1452
http://www.theivyapartmenthomes.com

Letter to The Ivy 2025 JAF.pdf, Feldman v Highmark and VOC.pdf

- **Exhibit A-3** – *April 9, 2025 Order by Judge Clay*

  Order denying TRO without hearing; entered ex parte.

  Doc. 29, PDF pp. **263–266**

No. 25-CI-002530

JEFFERSON CIRCUIT COURT
DIVISION NINE (9)
JUDGE SARAH E. CLAY

DANIEL FELDMAN PLAINTIFF

V. **ORDER**

SREIT IVY LOUISVILLE, LLC *et al.* DEFENDANTS

******

This matter is before the Court on Plaintiffs' Notice of Intent to File Motion for Reconsideration. Although the notice references an intent to file a future motion to reconsider pursuant to CR 59.05, it simultaneously asks the Court to reconsider its April 9, 2025, Order dismissing this action due to lack of jurisdiction. Thus, the Court will interpret the notice as a motion to alter, amend, or vacate pursuant to CR 59.05, and will DENY it. In so doing, the Court reiterates what it stated in its April 9th Order: that it reviewed the pleadings in the case before the Order was issued - as in *all* of the pleadings.

Additionally, the Court notes that while *pro se* litigants can sometimes enjoy relaxed application of the Rules of Civil Procedure, they still are expected to follow them. *See Watkins v. Fannin*, 278 S.W.3d 637, 643 (Ky. App. 2009) ("While *pro se* litigants are sometimes held to less stringent standards than lawyers in drafting formal pleadings, Kentucky courts still require *pro se* litigants to follow the Kentucky Rules of Civil Procedure." (internal citations omitted)). Henceforth, Plaintiff must file any pleadings in this action in accordance with the Civil Rules of Procedure, including CR 5.05, and the Jefferson Rules of Practice. To be clear: neither the Court, the Court's judicial assistant, nor the Court's bench clerk will accept any filings in this action. The Court will also not permit, receive, or review any *ex parte* communications regarding the substance of this case. If there are any further motions, other than dispositive motions pursuant to JRP 401, they shall be filed properly, with appropriate notice to all parties, and

noticed for motion hour. As in every case, parties may appear via Zoom for motion hour, and information for logging in is contained on the Jefferson Circuit Court's website.[1]

WHEREFORE, IT IS HEREBY ORDERED that Plaintiff's Notice of Intent to File Motion for Reconsideration, which the Court has interpreted as a motion to alter, amend, or vacate pursuant to CR 59.05, is **DENIED.**

SARAH E. CLAY, JUDGE
JEFFERSON CIRCUIT COURT
DIVISION NINE (9)

DATE: _____

cc.

Daniel Feldman
8809 Denington Dr.
Louisville, KY 40222
danieljfeldmanphd@gmail.com
(307) 699-3223

Michelle R. Rawn
Rawn Law Firm, PLLC
10000 Shelbyville Road, Suite 200
Louisville, KY 40223
michelle@rawnlawfirm.com
(502) 416-0150

[1] Mr. Benz is an exception to this rule. He may not appear via Zoom, pursuant to previous Order of this Court in a separate action, Jefferson County Case No. 23-XX-83.

- **Exhibit A-4** – *April 1, 2025 Eviction Complaint Filed by Ivy in District Court*

  Filed in retaliation while TRO was pending.

  Doc. 19, PDF pp. **119–123**

AOC-216 Doc. Code: PFD
Rev. 4-23
Page 1 of 1
Commonwealth of Kentucky
Court of Justice www.kycourts.gov
KRS 383.200

FORCIBLE DETAINER COMPLAINT

Case No. 25-C
Court District
County Jefferson
Division Forcible Detainer

Provide Name, Address, and Phone Number for both Plaintiff (Landlord) and Defendant (Tenant)

LANDLORD/PLAINTIFF

Name: Highmark Residential LLC for SREIT Ivy Louisville, L.L.C.
Address: 3300 Altabrook Drive, Louisville, KY 40245
(Street, Including Apt. #) (City, State) (Zip Code)
Phone number: 502-401-1547

VS.

TENANT/DEFENDANT

Name: Daniel Feldman & All Other Occupants
Address: 13647 Aragon Way Unit 3303 a/k/a Unit 303, Louisville, KY 40245
(Street, Including Apt. #) (City, State) (Zip Code)
Phone number: 267-292-7460

Comes the Plaintiff and for his/her complaint states that:

1. On the 12th day of March, 2024, Defendant(s) contracted to lease 13647 Aragon Way Unit 3303 a/k/a Unit 303, located at Louisville, KY 40245 under a ☑ **written** OR ☐ **oral lease** with Plaintiff as lessor;
2. Under the lease terms, **Defendant(s) agreed to pay** $1,248.00 per ☐ day ☐ week ☑ month, payable on the 1st day of each ☐ week ☑ month ☐ year as rent;
3. Defendant(s) has/have breached the lease because of the following: *(check all that apply)*
   ☑ Failure to pay rent for the ☐ day ☐ week ☑ month ☐ year of March 2025 in the amount(s) of $1,248.00 and has/have not paid late fee for the ☐ day ☐ week ☑ month ☐ year of March 2025 in the amounts of $100.00.
   As of March 19th (date), 2025 the total amount of back rent and late fee(s) owed to the Plaintiff from the Defendant(s) is: $1,588.54.
   ☐ Failure to vacate following expiration of lease.
   ☐ Other violation of lease:
   Non-Payment of rent and late fees for March 2025, plus an outstanding balance of $240.54.
4. Plaintiff gave Defendant(s) written notice to vacate on March 19th, 2025. Defendant(s) has/have not vacated.

WHEREFORE, Plaintiff **alleges** Defendants unlawfully and forcibly detain the premises, **and demands** possession of the premises be delivered to Plaintiff, as well as any and all other relief to which he/she may be entitled. I hereby certify I am the owner/attorney of the above-named property.

Michelle R. Rawn
Landlord/Attorney Signature

502-416-0150 / michelle@rawnlawfirm.com
Phone Number

Michelle R. Rawn, Esq. Rawn Law Firm, PLLC
Landlord/Attorney Name *(Please Print)*

10000 Shelbyville Road Suite 200 Louisville, KY 40223
Landlord/Attorney Address

Subscribed and sworn to before me this 1st day of April, 2025. My commission expires: October 31, 2027.

Signature
KYNP80336 Notary Public
Title

Presiding Judge: HON. LISA L. LANGFORD (730072)

PFD : 000001 of 000001

- **Exhibit A-5** – *April 14, 2025 Notice of Intent to File Motion for Reconsideration*

  Filed within CR 59.05 window; not acknowledged in ruling.

  Doc. 27, PDF pp. **270–276**

Urgent Follow-Up – Request for Judicial Review and Hearing – Case No. 25-CI-002530

1 message

Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> Tue, Apr 15, 2025 at 10:34
To: Davis, Leslie <LeslieDavis@kycourts.net>, jeffcircuitclerkfilings@kycourts.net, jeffersonada@kycourts.net
Cc: Michelle Rawn <Michelle@rawnlawfirm.com>, John Benz <John@rawnlawfirm.com>, jayson Frew <jayson.frew@gmail.com>, Jo Anne Feldman <jojofeld@bellsouth.net>, Jason Whitehouse <jwhitehouse@highmarkres.com>, Mary Beth Woodard <mwoodard@highmarkres.com>
Bcc: jarethilllaw@gmail.com

Subject: Urgent Follow-Up – Request for Judicial Review and Hearing – Case No. 25-CI-002530

Dear Clerk of Court, ADA Coordinator, Judicial Assistant for Judge Clay, Counsel and Defendants,

I'm writing to urgently follow up on my verified filings in Case No. 25-CI-002530, including the April 11 Notice of Intent to File for Reconsideration. These include sworn declarations, time-stamped communications, and documented evidence of retaliation, obstruction of medical access, and denial of ADA accommodation.

I respectfully ask: Has Judge Clay seen these filings in full? I have now asked this at least three separat times — in writing — for confirmation that all filings were received, docketed, and placed before the Judg now totaling 19. I have received no answer. I am not demanding a ruling — only an acknowledgment: **ye no, or pending**. For a court responsible for reviewing emergency restraining orders, this level of silence suggests that this is not a court that takes emergencies seriously.

Due to medical treatments, I will be unavailable for the rest of today and likely part of tomorrow morning Given the emergency nature of this matter, I again ask whether Judge Clay intends to reconsider the jurisdictional ruling or grant an ex parte hearing.

This is not a jurisdictional gray area. When I attempted to file the TRO in District Court on March 31, I wa told explicitly that the relief I sought — to stop retaliation, obstruction of rent and medical access — was not within District Court's jurisdiction. I was directed to Circuit Court, where I filed in good faith on April 2

The very next day, Defendants filed a retaliatory eviction — despite having been served my TRO packet t night before. That eviction is based on false nonpayment claims. My rent was never refused; it was blocked. The eviction filing was designed to preempt this Court's ability to act. And the longer this Court waits, the more successful that tactic becomes.

I understand some may respond by saying "then just file your motion for reconsideration and place it on calendar." I intend to do exactly that — and am working on the motion now — but I must be clear:

Filing that motion does not solve the emergency. It does not stop the retaliation. It does not restore access to medication, now denied for over two months. It does not stop the clerk from continuing to block filings or shield the judge from review. And it does not undo the lost medical time I've endured wh abroad trying to manage treatment and being forced to fight through procedural walls.

I am also in the process of preparing a motion for damages. That motion is being carefully constructed and coordinated with a HUD complaint currently under review. I reserve all rights to file and expand upo

those claims. But the need for emergency relief remains urgent and independent — and cannot wait for that complaint to conclude.

Lastly, respectfully, this is not a determination for the Clerk's Office to make. Jurisdictional rulings and hearings must be handled by the Judge. The filings I submitted — including 19 verified and sworn pleadings — are already before the Court. I respectfully request that they be placed before Judge Clay directly, and that this Court reconsider its refusal to hear this matter.

And to reiterate: please respond, upon receipt of this email, with a direct answer - **has Judge Clay had the opportunity to review all 19 verified filings?**

Sincerely,

Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
danieljfeldmanphd@gmail.com
(307) 699-3223

On Fri, Apr 11, 2025, 06:59 Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> *Filing: Notice of Intent to File Motion for Reconsideration – 25-CI-002530 (Filed April 11, 2025)*
>
> Dear Clerk of Court, ADA Coordinator, Judicial Assistant for Judge Clay, Counsel and Defendants,
>
> Please find attached the filing titled **"Notice of Intent to File Motion for Reconsideration"** in the matter of **Feldman v. SREIT IVY Louisville, et al., Case No. 25-CI-002530 (Division 9)**, filed today, April 11, 2025.
>
> This email also constitutes **formal service of the attached filing** to all named parties under CR 5. No objections have been raised to electronic service, and all emails below have been previously used for service in this matter.
>
> This filing includes:
>
> - A cover letter addressed to the Clerk and Judicial Assistant for Division 9;
> - The full Notice of Intent to File Motion for Reconsideration (CR 59.05);
> - Verified Proof of Service confirming delivery to all parties at approximately 9:00 AM ET today.
>
> Physical delivery is being made to the Clerk's Office concurrently, but I request that this email version be stamped as filed and forwarded directly to **Judge Sarah Clay** for review. The verified record referenced in this filing exceeds 150 pages and reflects ongoing retaliation, ADA obstruction, and procedural misconduct. I respectfully request that it not be withheld, delayed, or diverted.
>
> Please confirm receipt. Below is a text copy of the cover letter attached.
>
> **TO THE CLERK OF THE JEFFERSON COUNTY CIRCUIT COURT**
>
> **AND ASSISTANT TO THE HONORABLE SARAH CLAY:**

Please accept for filing the attached **Notice of Intent to File Motion for Reconsideration** in the above-captioned matter.

Due to repeated procedural irregularities—including the failure to acknowledge three prior verified filings submitted on April 2, April 7, and April 9—**I respectfully request that this document be delivered in full to Judge Sarah Clay for direct review**.

This filing is being delivered both:

- **Electronically**, to all defendants and counsel, as well as to this office, and
- **Physically**, via my 81-year-old mother, who should not have to make this delivery, but is doing so due to the Court's repeated failure to acknowledge prior verified pleadings

.

This Notice includes critical jurisdictional arguments, over 150 pages of record cross-references, and a request that the Court take corrective action before the Motion for Reconsideration is formally filed.

I am requesting that this document and its supporting materials be placed **directly before the Court**, and that no part of this filing be withheld, delayed, or excluded from judicial review.

Respectfully submitted,
Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
(307) 699-3223
danieljfeldmanphd@gmail.com

On Wed, Apr 9, 2025 at 1:32 PM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> *A small point of clarification in the previous email: the phone call took place in the time zone where I'm at currently at12:48 PM, which would be 2:48 PM EDT.*
>
> On Wed, Apr 9, 2025 at 1:29 PM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:
> **Dear Leslie Davis,**
>
> I'm writing to report and document a concerning phone interaction I had today with **Mary in the Clerk's Office for Division 9**, regarding **Case No. 25-CI-002530 (Feldman v. SREIT Ivy, et al.)**.
>
> At approximately **12:48 PM on April 9, 2025**, I called (502) 595-4153 to confirm whether the Court had reviewed or scheduled a hearing in response to my **TRO filings (April 2, 7, and 9)** and my formal **ADA request for remote appearance**.
>
> The call lasted approximately **6 minutes and 15 seconds** and was disturbing in both tone and substance. I would like to summarize it accurately:
>
> ---
>
> ### ✅ What Mary (Clerk) Stated or Implied:
>
> - That the **judge does not have to grant a hearing** under CR 65.04 and is **not going to schedule one**.
> - That the **Court has "reviewed your documents"** (unclear whether this includes the filings made today).
> - That **my TRO filing is not an emergency**, stating flatly: *"This is not emergent; it's a TRO, not an emergency protective order."*
> - That *"the only thing you're asking for is injunctive relief from eviction"*, which I corrected, since the TRO request clearly involves retaliation, denial of medical access, obstruction of lease process, and more.
> - That I should **"get a lawyer"**—a phrase she repeated multiple times—despite knowing I'm a pro se disabled litigant who has been unable to secure counsel.
> - That she **refused to read the cover letter**, despite the fact that it was addressed directly to her and the Judge's Assistant and hand-delivered by my 81-year-old mother, who was physically present downstairs at the courthouse at the time.
> - That *"we've already reviewed your case"*, implying that any further filings (including today's) **will be dismissed without meaningful consideration**
>
> When I tried to explain that the cover letter described my disability, lack of access, ADA request and the procedural hardship being imposed on my mother, Mary repeatedly cut me off and reiterated that *"there will be no hearing"*, and that I should *"call back when you get a lawyer"*.
>
> ---

✅ What I Am Asking the Court to Acknowledge and Clarify:

1. **Has the judge reviewed the filings I submitted today (April 9)?**
2. **Will the Court rule on my request for emergency relief and my ADA request for remote participation?**
3. **Why is a verified, indexed, multi-part TRO application being administratively sidelined, while the Court allowed Defendants to submit a single non-sworn, factually false respons without notice?**

My filings go far beyond a simple request to stop an eviction. I've submitted detailed documentation of retaliation, denial of access to HIV medication, constructive eviction from storage units, and procedural obstruction that is now being carried out by court staff.

If the judge has ruled, I respectfully request a copy of that ruling or order. If the judge has **not ruled**, then I respectfully ask that this pattern of gatekeeping by court staff be addressed.

This process is becoming increasingly burdensome. My **81-year-old mother has now had to hand-deliver filings multiple times**, and I am being forced to draft yet another motion simply to preserve my ability to participate in the process due to the refusal of the Court to act on my AD request.

For the Court's convenience and to ensure complete review, I have attached today's filings in PDF format, identical to the versions delivered to the Clerk's Office earlier this afternoon. For all previous filings referenced in today's index—including those dated April 2 and April 7—I respectfully direct the Court to the attached **Index of Filings**, which includes page and pleading references to each submission, all of which were previously filed and served.

I thank you for reading this, and I respectfully request that this email and attachments **be forwarded directly to Judge Clay for review.**

Sincerely,

Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
danieljfeldmanphd@gmail.com
+1 (307) 699-3223

On Wed, Apr 9, 2025 at 9:03 AM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> **Subject:** Correction to Hand-Delivered Declaration – Case No. 25-CI-002530 (Feldman v. SRE Ivy)
>
> **Dear Leslie Davis,**
>
> For the Court's convenience, I am also reproducing the full content of the cover letter submitted with today's filing below:
>
> ## TO THE CLERK OF THE JEFFERSON COUNTY CIRCUIT COURT AND
>
> ## ASSISTANT TO THE HONORABLE SARAH CLAY:

This courtesy filing is being submitted by Plaintiff, Daniel J. Feldman, Ph.D., to request immediate equitable relief and judicial recognition of severe procedural abuse. On April 8, 2025, Defendants submitted a response to Plaintiff's pending TRO application that contains **knowingly false and provably inaccurate statements**. Every material claim made in that filing is false and directly contradicted by documents already in the record and cited in Plaintiff's indexed TRO filings.

Because of that April 8 filing—an abusive, retaliatory, and false submission—Plaintiff is now forced to file this Second Supplemental Declaration. Plaintiff is disabled and located abroad. He has no physical access to court filing systems, and his repeated requests for electronic access and remote hearing participation remain unaddressed.

Therefore, **Plaintiff's 81-year-old mother, who has COPD and uses a walker**, must now **physically deliver this document today** in response to a filing that never should have been accepted without verification. This burden—placed upon an elderly woman and a medically vulnerable Plaintiff—is not just inequitable. It is **procedural violence**.

This pattern has been thoroughly documented in Plaintiff's March 31, April 2, April 7, and April 9 filings. It continues now. If Defendants had

not submitted false statements on April 8, this filing would not be necessary. If the Court had granted a TRO hearing and ruled on the ADA remote appearance request, this filing would not be necessary. It is only necessary because **the legal process is being abused against a disabled man, by design**.

Plaintiff respectfully asks that the Court **accept this as a formal filing under the Court's equitable discretion**.

I am also writing to inform the Court that a **minor factual correction** was made by hand to the version of the **Second Supplemental Declaration** that was hand-delivered this morning by my mother.

In **Page 5, Pleading ¶14**, the word **"four"** was corrected to **"two"** to reflect the accurate number of physical filings she has made on my behalf in the last ten days.

This handwritten correction was made in the printed declaration at the time of delivery to the Clerk's Office.

Please note that the previously submitted email version still contains the word "four" and should be read as corrected accordingly.

Thank you for your attention and understanding.

Respectfully,
Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
Warmest regards,

Daniel J. Feldman, Ph.D.
Clinical Neuropsychologist and Touch Healer

+1 (307) 699-3223
+1 (435) 612-0242

"And now here is my secret, a very simple secret: It is only with the heart that one can see rightly; what is essential is invisible to the eye."
The Little Prince *by Antoine de Saint-Exupéry*

On Wed, Apr 9, 2025 at 7:39 AM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> **Dear Leslie Davis,**

I am writing to submit the enclosed documents in the above-referenced matter, which are being delivered in response to the Defendants' April 8 filing. As noted in the cover page and declaration, the April 8 filing includes multiple false and materially misleading statements that have required immediate correction and response.

Accordingly, I respectfully submit the following materials as part of my second April 9, 202 filing:

1. **Cover Letter to the Clerk and Judicial Assistant**
2. **Second Supplemental Declaration and Legal Authorities in Further Support of TRO, Sanctions, and Relief**
3. **Updated Index of All Filings in Support of TRO, Sanctions, and Relief**
4. **Proof of Service**

These documents include specific refutations of the Defendants' April 8 claims, renewed requests for emergency hearing access, and arguments in opposition to the premature motion to dismiss individual defendants. As documented, I remain outside the United State and continue to request remote participation in all proceedings under the Americans with Disabilities Act.

This supplemental filing has also been physically delivered today via my 81-year-old mothe who is again assisting me due to my medical and physical constraints. We respectfully ask that these materials be docketed and provided to the Court as soon as possible.

Thank you for your time and attention to this urgent matter.

Respectfully,
Dr. Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com
+1 (307) 699-3223

On Tue, Apr 8, 2025 at 7:37 AM Davis, Leslie <LeslieDavis@kycourts.net> wrote:

> Good morning! Judge Clay is reviewing this case. If she believes a hearing is needed, I w reach out. Thanks so much!
>
> **Leslie Davis**
>
> Judicial Secretary, Division Nine
>
> Judge Sarah E. Clay

700 West Jefferson Street Ste. 804

Louisville, Kentucky 40202

(502) 595-4356 (phone)

lesliedavis@kycourts.net

Zoom Video Conference

Meeting ID: 202 566 4042

https://us02web.zoom.us/j/2025664042

From: Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com>
Sent: Monday, April 7, 2025 7:02 PM
To: Davis, Leslie <LeslieDavis@kycourts.net>
Cc: Michelle Rawn <Michelle@rawnlawfirm.com>; John Benz <John@rawnlawfirm.com>; jayson Frew <jayson.frew@gmail.com>; Jo Anne Feldman <jojofeld@bellsouth.net>
Subject: Request for Hearing and Clarification – TRO & Sanctions (Case No. 25-CI-002530)

Dear Ms. Davis,

I am writing regarding **Feldman v. SREIT Ivy Louisville, LLC et al**, **Case No. 25-CI-002530** (Division 9, Hon. Judge Sarah Clay).

I respectfully request that a **hearing be scheduled** on the following matters:

- **Plaintiff's Motion for Temporary Restraining Order**;
- **Supplemental Sworn Declaration filed April 7, 2025**; and
- **[Proposed] Order Granting Sanctions and Interim Relief**

I request that these be heard together in a **joint hearing** as they both pertain to the same pattern of retaliatory and obstructive conduct now before the Court.

I previously submitted a **Remote Appearance Request**, due to medical necessity and current travel abroad. However, I only learned today that this matter was listed on the Ap 7, 2025, motion hour docket. I was not notified of the hearing, any approval of remote appearance or instructions, and therefore could not attend.

The docket also indicates "**ORD TEND**" under the listed motions. I respectfully ask for clarification on whether any action was taken or orders were entered on the TRO or relat filings.

In accordance with procedural rules, **all defendants or their counsel have been copied o this email.**

For the Court's convenience, I have reattached both the **initial TRO filing packet** (submitted April 2) and the **Supplemental Declaration packet** (filed April 7), including all exhibits, proposed orders, and proof of service.

Please let me know whether the Court can set a new hearing date. I remain available and respectfully reiterate my request to appear remotely.

Thank you for your time and assistance.

Sincerely,
Daniel J. Feldman, Ph.D.
Plaintiff, Pro Se
danieljfeldmanphd@gmail.com
(307) 699-3223
8809 Denington Drive
Louisville, KY 40222

- **Exhibit E** – *Jefferson County Local Rules (District & Circuit)*

  Includes:

  - **District Rule 5** – Guardianship and case procedures affecting disability access
  - **District Rule 7** – Citizen Complaints and Mediation access
  - **Circuit Rule 1406** – Mandatory Identification Requirement (used to reject filings)

    Pages extracted from `D30LOCALRULES.pdf` and `C30LOCALRULES.pdf`

RULE 14 MISCELLANEOUS

1401 Attorneys Prohibited from Requesting Excuse of Jurors.

Attorneys shall not contact a Circuit Judge requesting the excuse of any prospective juror from jury duty.

1402 Notice upon Settlement.

If a trial or hearing is scheduled, counsel shall promptly notify the clerk of the division if the case is settled so that the case may be taken from the docket.

1403 Telephonic Conference.

Any motion may be heard and any conference may be held by a telephonic conference among a trial judge and counsel for the respective parties. Dates for pretrial conferences may be obtained by telephonic conference with a Judge's office provided that such conference includes counsel for all parties. Counsel seeking a conference shall be responsible for including all necessary counsel. Trial and hearing dates may likewise be scheduled by telephonic conference at the discretion of the trial judge.

1404 Interrogatories and Requests for Admissions.

When answering interrogatories or requests for admissions, the replying parties shall set forth the entire question or the entire request immediately preceding their response. The proponent of such interrogatories or request for admissions should attempt to allow enough space between questions to allow for an answer.

1405 Proposed Order Required.

A draft of the proposed judgment or order shall be filed along with a motion for its entry.

1406 Identification Required.

Every pleading and document filed in the record by counsel or a pro se party shall contain the case number, and a typed or printed name, address and telephone number of the individual signing the paper. A rubber stamp shall not be deemed a signature either under this Rule or CR 11.

1407 Disposition of Evidence.

At the end of any hearing and/or the conclusion of a trial where controlled substances, guns, live ammunition, explosives, toxic or noxious materials, or currency have been entered into evidence, these items shall be returned to the police authority having custody before the hearing or trial. The Court, in its discretion, may order similar retention and safekeeping of other bulky, valuable or dangerous goods.

RULE 5 GUARDIANSHIP PRACTICE (KRS CHAPTER 387)

501 Interdisciplinary Teams.

The Court shall maintain separate Interdisciplinary Teams consistent with the provisions of KRS 387.540(1). If the person evaluated is a poor person as defined in KRS 453.190, the compensation of the physician, the psychologist, and the social worker team members shall be paid by the Louisville Metro Government pursuant to KRS 387.540(8), upon a finding by the Court that the fees are reasonable. Additional compensation may be allowed upon a finding by the Court of extraordinary work.

502 Appointed Counsel.

The Court shall maintain an approved attorney list for appointment as counsel in initial or renewal disability proceedings, restoration proceedings and Guardians Ad Litem for the sale of real estate. Counsel shall be appointed by the Court. Procedures for listing and selection should be identical to JDR 903.

503 Emergencies.

Emergency hearings shall be set by the Court within statutory time frames upon Petitioner's affidavit establishing reasonable grounds to believe the presence of a need for immediate action under KRS 387.740(1).

504 Motion Hour.

Motion hour shall be on each Thursday at 9:30 a.m., or at such other times as designated by the Chief District Court Judge with reasonable notice to the bar, with the following matters to be heard by the Court:

A. Sales of real estate pursuant to KRS Chapter 389A, including appointments of Guardians Ad Litem;

B. Removal of limited or full guardians or conservators appointment of succesors and increases of bond;

C. Guardian appointments under KRS Chapter 388, where no jury trial has been demanded;

D. Modifications of prior disability declarations or restoration proceedings under KRS 387.620;

E. Petitions for renewal of appointments of limited guardian or conservator under KRS 387.610;

F. Rules to compel filing of inventories, periodical and final reports, annual reports and plans preserving the ward's estate;

G. Rules to compel payment of any fees or monies awarded by the Court or due under any provisions of these rules or KRS 387.500, et seq.;

H. Request for advice from the Court concerning the duties and responsibilities of guardianship or conservatorship; and,

I. Such other matters as the Court in its discretion may direct to be heard.

505 Verification of Annual Reports.

Where the ward's residence is not licensed or monitored by the Kentucky Cabinet for Health and Family Services, the Court shall appoint an appropriate person or agency to verify by personal contact the contents of the annual report. This person or agency shall be compensated by the Louisville Metro Council if the ward is indigent, or by the ward's estate if not.

506 Record-keeping.

After biennial reports are filed pursuant to KRS 387.710 and have been approved by the Court, all cancelled checks and receipts shall be returned by the deputy clerk to the guardian/conservator for safe keeping with an order from the Court directing them to keep said items for five (5) years unless otherwise ordered by the Court.

507 Guardian Inventories, Accounts and Reports.

Whenever an inventory, account, or report pursuant to KRS Chapter 387 is not filed by the Guardian within the time required by appropriate statute, the Clerk shall issue a notice of the failure to file any such report or any notice of a rule motion to the current counsel of record for the Guardian, if any. If there is no attorney of record for the Guardian, then the notice shall be sent to the Guardian.

If a second or subsequent notice relating to failure to file reports, or a rule motion is necessary, said notice shall be sent to the Guardian and to the counsel of record, if any.

RULE 7 CITIZENS COMPLAINTS/MEDIATION

701 Obtaining Warrants and Summons.

Citizen Complaints may be made by individuals at the Jefferson County Attorney's Office during normal business hours. Domestic Violence Criminal Complaints may be filed in the Domestic Violence Intake Center during normal business hours. For an emergency criminal complaint after hours, the individual may go to the Deputy Sheriff on duty who will contact the on-call Assistant Jefferson County Attorney, who will then make the determination of whether the matter needs to be addressed immediately or may wait until the next regular business day.

702 Mediation.

1. In General.

A. The Jefferson District Court General Term finds that under some circumstances mediation may provide an efficient and cost effective alternative to traditional litigation or criminal matters. Further, the wise and judicious use of mediation may benefit all participants.

B Mediation is an informal process in which a neutral third person, called a mediator, facilitates the resolution of a dispute between two (2) or more individuals. The process is designed to help individuals reach an agreement on some or all of the issues in dispute. The decision making authority rests with the participants, not with the mediator. The mediator assists in identifying issues, fostering joint problem solving and exploring resolution alternatives.

C. The Court may refer any case or portion of a case to mediation, except as otherwise provided in these rules.

D. When referring a case to mediation, the Court shall consider:

1. The nature of the issues presented;
2. The value to the individuals involved in the mediation of confidentiality, rapid resolution or the promotion or maintenance of ongoing relationships;
3. The willingness of the individuals involved in the mediation to mutually resolve the dispute or issue;
4. Other attempts by the individuals to resolve the dispute or issue; and,
5. The ability of the individuals involved to participate in the mediation process.

2. Mediation Session.

A. Mediation sessions shall be closed to all persons other than the individuals subject to the mediation, their counsel and any other person(s) invited by the mediator with the consent of the individuals involved.

B. The mediation session and the mediator's conduct shall be governed by the Rules of Administrative Procedure of the Court of Justice, Part XII, mediation Guidelines for Court of Justice mediators.

C. If the matter is resolved, the mediator shall reduce the agreement to writing for the signatures of the participants.

D. With the exception of those conducted by private mediators who charge a fee, all mediations in Jefferson District Court shall take place in the Hall of Justice, unless another location is agreed upon by the mediator and all individuals subject to the mediation. Private mediators offering pro bono services may conduct mediations for Jefferson District Court in the Hall of Justice.

3. Report of Mediation Status.

A. After the scheduled mediation date, the mediator shall provide the District Court Administrator with a Report of Mediation Status utilizing the forms and procedures directed by the Administrative Office of the Courts.

B. If the case/matter is not resolved by mediation, the matter shall be referred to the District Court Judge for further action.

4. Confidentiality.

A. Except as otherwise provided by this rule, all mediation documents and mediation communications shall be confidential and shall not be released to any other person or agency without the written consent of the individuals subject to the mediation. Further, the mediation documents and communications shall not be subject to disclosure through discovery or any other process and are not admissible as evidence in any judicial or administrative proceeding.

B. The mediator shall not be subject to process requiring the disclosure of any matter pertaining to the mediation, and such matters shall be considered privileged and confidential. The privilege and resulting immunity reside with the mediator. Mediation occurring as part of a civil case is protected as a settlement negotiation for purposes of KRE 408.

C. No part of the mediation shall be considered public record.

D. No restriction on disclosure shall be required, and the privilege may be waived under this rule, if:

1. All parties consent to the disclosure in writing and the mediator agrees; or,
2. The mediator learns of abuse subject to mandatory reporting by KRS 209.030, KRS 209A.030, KRS 620.030, or other applicable law.
3. Nothing in this Rule shall prevent the AOC from reviewing mediation information for the purpose of evaluation and supervision.

5. Civil Mediation.

A. The procedures in this Rule shall pertain to all District Court civil cases.

B. A District Court Judge may refer cases to mediation at any time by referring the parties to Civil District Court Clerk's office for scheduling.

C. Following the scheduled mediation, the mediator shall file a Report of Mediation Status with the District Court Administrator, along with a signed copy of any agreement reached by the parties.

6. Mediating Citizen's Criminal Complaints.

A. Citizen Criminal Complaints.

1. A citizen's criminal complaint may be made as follows:

   a) During normal business hours, the criminal complaint shall be made to the Jefferson County Attorney's Office.

   b) During normal business hours, domestic violence criminal complaints may be made in the Domestic Violence Intake Center.

   c) After normal business hours, emergency criminal complaints may be made with the deputy sheriff on duty, who shall contact the on-call Assistant Jefferson County Attorney. The on-call Assistant Jefferson County Attorney shall make a determination as required by subsection (5) below.

2. For a matter to be referred for mediation, the complaining witness and the alleged offender shall be eighteen (18) years of age or older, and the alleged offense must have occurred in Jefferson County, Kentucky.

3. Where related complaints (cross-complaints) are filed, every effort shall be made to refer such complaints to the same reviewing authorities, and to schedule any subsequent proceedings on the same dates.

4. When a complaint is referred to mediation, a mediation conference shall be scheduled within fourteen (14) days of the referral, absent extraordinary circumstances.

5. Citizen complaints shall be referred to mediation according to the following procedures:

a) The Assistant Jefferson County Attorney shall interview the complaining witness to determine if probable cause exists to believe a criminal offense has been committed. If probable cause does not exist, the Assistant County Attorney shall reject the matter and it shall be presented to the District Court Judge.

b) If the Assistant County Attorney determines that there is probable cause to believe an offense was committed, the complaining witness should be afforded an opportunity to request mediation as a resolution to his or her complaint with the alleged offender.

c) If there is a determination of probable cause, the Assistant County Attorney shall complete an AOC Form 315.B, Criminal Complaint, which shall include a sworn statement of the complaining witness, the recommended criminal charge(s), and one of the following recommendations for disposition to the District Court Judge:

i. Request that the District Court Judge issue a warrant (in complaints presented after-hours, the on-call Assistant County Attorney shall determine whether to contact the on-call District Court Judge immediately or make the request on the next regular business day); or
ii. Request that the District Court Judge issue a summons; or,
iii. Request that the District Court Judge refer the matter to mediation.

d) The AOC Form 315.B shall be tendered to the District Court Administrator for submission to the District Court Judge.

e) The District Court Administrator shall present the completed AOC form 315.B containing the complaining witness's sworn statement and the Assistant County Attorney's recommendations to a District Court Judge, who may take one of the following actions:

i. Issue a summons or arrest warrant for the defendant;
ii. Refer the matter to mediation; or,
iii. Reject the action.

Any action taken by the District Court Judge shall be in writing and signed. For a mediation referral, the District Court Judge shall refer the matter to the District Court Administrator to schedule the mediation and assign a mediation number in the Mediation Division of KY Courts II.

6. Any agreement reached between the complaining witness and the alleged offender shall be voluntary. The terms for compliance with the agreement shall not exceed one (1) year from the date the alleged offense occurred,

and shall not be legally enforceable by the complaining witness, the alleged offender, the County Attorney, the mediation program, or the courts. Failure by the alleged offender to comply with the terms of the agreement may result in the re-initiation of the underlying criminal complaint.

7. If the criminal complaint is not resolved at mediation, the following may occur:

   a) If the complaining witness fails to appear at the scheduled mediation, the matter shall be closed, and shall only be reinitiated if the complaining witness comes forward again to swear to the allegations and the County Attorney determines there is probable cause to believe an offense has been committed.

   b) If the alleged offender fails to appear at the scheduled mediation and the complaining witness wishes to proceed, the County Attorney shall request that the District Court Judge issue an arrest warrant or summons for the alleged offender.

   c) If the complaining witness and alleged offender both appear, but the mediation is unsuccessful and the complaining witness wishes to proceed, the County Attorney shall request that the District Court Judge issue an arrest warrant or summons for the alleged offender.

B. Judicial Referral of Criminal Cases.

1. Once the complaint has been signed by a District Court Judge and criminal prosecution has commenced by the assignment of a case number in the Criminal Division of the Jefferson District Court and the defendant has been served, a District Court Judge may continue the case by referring it to mediation, if:

   a) The County Attorney agrees to the mediation;

   b) The complaining witness agrees to the mediation;

   c) The defendant agrees to the mediation; and,

   d) The County Attorney agrees to dismiss the case if the complaining witness and the defendant reach an agreement.

2. Mediations should be scheduled at least fourteen (14) days in advance of the next scheduled hearing date.

3. Following the scheduled mediation, the court mediator shall send a Report of Mediation Status to the District Court Administrator.

4. If the criminal complaint is resolved, the defendant shall not be required to return to court, and the County Attorney shall move to dismiss the case at the scheduled hearing date.

5. If the criminal complaint is not resolved, the defendant shall return to court on the next scheduled court date for further action.

6. If any citizen, attorney, or peace officer is denied a warrant or summons by a Judge of the District Court, the decision of the reviewing judge shall be final. The same case shall not be presented to any other District Court Judge for reconsideration, unless new or different circumstances from those originally presented for review are found to exist.

703 Sworn Complaint.

A. Complainants must be informed of the general court process by the Jefferson County Attorney's Office. They shall be informed of the following:

Their sworn statement will be reviewed by an Assistant County Attorney, who must determine whether probable cause exists to believe a criminal offense has been committed in order to go forward. The sworn statement and recommendations of the County Attorney will be reviewed by a District Court Judge as well. Once a warrant is signed by a District Court Judge, it becomes the case of the Commonwealth of Kentucky and cannot be dropped by the Complainant. The Complainant's failure to appear in court may result in sanctions, including arrest. False swearing is a criminal offense, for which the Complainant may be prosecuted. Complainants may be required to testify at trial.

B. The Jefferson County Attorney's Intake Officer shall prepare a complaint/warrant form for review by the County Attorney, and thereafter, review by a District Court Judge.

C. No action shall be taken if the County Attorney determines that the Complainant has not made a valid criminal complaint. The County Attorney shall indicate the reason for rejection in the space provided on the warrant form, and it shall be reviewed by a District Court Judge.

D. All warrants being reviewed shall be in the Jefferson District Court Administrator's Office. If any warrants are removed for any reason, the person removing them shall inform the Court Administrator where in the building they are being taken, and they must be returned to the Jefferson District Court Administrator's Office the same day. Unless the Chief Judge of District Court specifically provides otherwise, no warrant under review shall be located any place other than in the Jefferson District Court Administrator's Office overnight.

E. The County Attorney or District Court Judge may determine that the case is best suited for disposition through the Mediation program, even if not the chosen means of resolution by the Complainant. However, the County Attorney will recommend a

criminal charge even if mediation is recommended. (The mediator will advise the County Attorney and Judge if mediation has previously been attempted in this matter and has failed.) If mediation is ordered by the District Court Judge and thereafter fails, the Complaint will be re-reviewed by a District Court Judge.

F. If any citizen, attorney, or peace officer is denied a warrant or summons by a Judge of the District Court, the decision of the District Court Judge who considered the matter is final. The same case shall not be presented to any other District Court Judge, unless new or different circumstances exist from those originally presented to the District Judge first considering same.

704 Domestic Violence Protocol.

The District Court of Jefferson County adopts the Domestic Violence Protocol, attached hereto as **Appendix D.**

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 19, 2025

CHIEF JUDGE GREG N. STIVERS

NOTICE OF FILING MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF FEDERAL JURISDICTION AND REBUTTAL TO EXPECTED MOTION TO REMAND

TO THE HONORABLE CHIEF JUDGE STIVERS OF THE UNITED STATES DICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

- ## NOTICE OF FILING

Plaintiff, Dr. Daniel J. Feldman, hereby submits this Notice of Filing of his **Memorandum of Points and Authorities in Support of Federal Jurisdiction and Rebuttal to Expected Motion to Remand**, along with **Exhibits A-1 through E**.

Previously filed Exhibits **A through D**—including Plaintiff's 459-page State Court Filing Compilation, Emergency Motion to Enforce Federal Removal, and supporting affidavits—are incorporated herein by reference and not reattached.

Respectfully submitted,

Daniel J. Feldman, Ph.D.
Pro Se
8809 Denington Drive
Louisville, KY 40222
danieljfeldmanphd@gmail.com
(307) 699-3223
Dated: **May 19, 2025**

- .

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-00396

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 19, 2025

CHIEF JUDGE GREG N. STIVERS

PROOF OF SERVICE FOR MEMO

FOR POINTS AND AUTHORITIES FOR

FEDERAL JURISDICTION AND TO REBUT

EXPECTED REMAND REQUEST

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF KENTUCKY:;30AM

I, Dr. Daniel J. Feldman, hereby certify that on **May 19, 2025**, at approximately **7:30am** I served a true and correct copy of the following documents via electronic mail:

- Memorandum of Points and Authorities in Support of Federal Jurisdiction and Rebuttal to Expected Motion to Remand
- Exhibits A-1 through E
- Notice of Filing

to the following recipients:

John R. Benz, Esq.
Counsel for Defendants
Email: jbenz@rawlawnky.com

Michelle Rawn, Esq.
Co-Counsel for Defendants
Email: mrawn@rawlawnky.com

Jayson Frew
Unrepresented Individual Defendant
Email: jaysonfrew@gmail.com

A copy was also sent to my own email address (**danieljfeldmanphd@gmail.com**) for timestamp verification.

Respectfully submitted,

Daniel J. Feldman, Ph.D. Date: May 19, 2025

8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com

+1 (307) 699-3223
Plaintiff, Pro Se

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 20, 2025

CHIEF JUDGE GREG N. STIVERS

SUPPLEMENTAL EMERGENCY MOTION TO ENFORCE FEDERAL JURISDICTION, PREVENT UNLAWFUL EVICTION, AND REFER CRIMINAL CONDUCT TO U.S. ATTORNEY

TO THE HONORABLE CHIEF JUDGE STIVERS OF THE UNITED STATES DICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

SUPPLEMENTAL EMERGENCY MOTION TO ENFORCE FEDERAL JURISDICTION, PREVENT UNLAWFUL EVICTION, AND REFER CRIMINAL CONDUCT TO U.S. ATTORNEY

Plaintiff respectfully submits this Supplemental Emergency Motion to enforce the federal court's exclusive jurisdiction under 28 U.S.C. § 1446(d), to enjoin unlawful state enforcement, and to refer multiple individuals for criminal prosecution for theft, perjury, and obstruction.

I. SUMMARY OF FACTS AND URGENCY

1. This Court has federal jurisdiction over this matter as of May 12, 2025. Under 28 U.S.C. § 1446(d), **no state enforcement action may proceed unless and until the case is remanded**.
2. Despite this bar, the **Jefferson County Sheriff's Office** has indicated that it intends to carry out a forcible eviction on **May 21, 2025** — based on a **void eviction order** dated **May 13, 2025**, entered after federal removal and in violation of law.
3. Plaintiff previously reported the **unlawful removal of property** by **Jason Frew**, a named defendant, on **January 3, 2025**. That incident was caught on security camera and occurred after his authority had been revoked. When ordered to leave over the microphone system, Mr. Frew **walked to the device and unplugged it**, cutting the feed.

4. **No police response occurred** despite Plaintiff calling the Louisville Metro Police Department in real-time. The department cited a snow emergency and Plaintiff's location abroad as justification for inaction. Plaintiff subsequently called the Sheriff's office yet was denied protection.
5. Since then, **Google Location Services has tracked Plaintiff's stolen iPad** moving between the Ivy Apartments and areas of Middletown — while Plaintiff remained out of the country.
6. **Jason Frew has continued threatening behavior**, including intimidation messages to Plaintiff's family, stating they "better watch out" or keep a "wide berth."
7. Plaintiff's **storage unit was later breached**, and property belonging to a third party was removed without signs of forced entry. A photograph previously taken by Plaintiff's parents after receiving new keys (Feb. 11) confirms the property was there. The only plausible access route was through Ivy management.
8. Emails filed on **May 19, 2025**, show that Ivy staff member **Christian Blake Heath**, while under oath, provided false statements about nonpayment of rent and responsibility. Evidence of these lies was present in front of **Judge Rutledge**, and yet **no action was taken** to stop the eviction order or investigate the perjury.
9. Removal of federal jurisdiction signage from Plaintiff's apartment door, followed by coordinated silence from Ivy and the Sheriff's Office, demonstrates intent to **obstruct federal enforcement** and aid in continued illegal takings.

II. REQUEST FOR RELIEF

Plaintiff respectfully requests that this Court immediately:

1. **Issue a Temporary Restraining Order** enjoining the Jefferson County Sheriff's Office from enforcing the void May 13 eviction judgment;
2. **Refer for criminal investigation** the following individuals:
    - **Christian Blake Heath** for **perjury** under 18 U.S.C. § 1621;
    - **Jason Frew** for **theft, intimidation, and evidence destruction**;
    - **John Benz, Esq.**, for **obstruction of justice and submission of false pleadings**;
    - Any involved Ivy staff who conspired in access or removal of private property.
3. **Order the Jefferson County Sheriff's Office to show cause** why it should not be held in contempt for enforcing a state writ in violation of 28 U.S.C. § 1446(d), after failing to investigate two separate theft reports and now enabling a third.
4. Grant any additional relief the Court deems just and necessary to preserve the integrity of the federal removal process and protect Plaintiff from further irreparable harm.

Respectfully submitted,

Daniel J. Feldman, Ph.D.
Pro Se
8809 Denington Drive
Louisville, KY 40222
danieljfeldmanphd@gmail.com
(307) 699-3223
Dated: **May 20, 2025**

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25CV-271-GNS

CHIEF JUDGE GREG N. STIVERS

DATE OF FILING: MAY 20, 2025

AFFIDAVIT OF DR. DANIEL J. FELDMAN IN SUPPORT OF EMERGENCY RELIEF, TRO, AND CRIMINAL REFERRALS

TO THE HONORABLE CHIEF JUDGE GREG STIVERS OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

> ***"If [Daniel] continues in this mode… well… he should really just stay wherever he is in order to remain safe."***
>
> **— Jason Frew, Email to JoAnne Feldman, February 9, 2025**

AFFIDAVIT OF DR. DANIEL J. FELDMAN IN SUPPORT OF SUPPLEMENTAL EMERGENCY MOTION, TRO, AND CRIMINAL REFERRALS

Case No. 3:25-CV-271-GNS – Western District of Kentucky

I, Dr. Daniel J. Feldman, declare under penalty of perjury:

1. I am the Plaintiff in this federal civil rights case. This declaration is submitted in support of my Supplemental Emergency Motion and proposed orders requesting a Temporary Restraining Order, criminal referrals, and contempt proceedings.
2. On **December 17, 2024**, the day I departed the U.S. for international travel, I moved a **black wagon containing gym equipment** belonging to **Shain Adam Jackson** (38, red hair and beard, 1517 Sharon Dr., Louisville, KY) into my **storage unit**, placing it just inside the door. **Jason Frew**, a named defendant, was physically present and observed me do this. He knew exactly which unit the wagon was in and to whom the contents belonged.

3. That evening, Shain Jackson informed me he could not retrieve the equipment. I told him he'd have to wait until I returned. On **January 24, 2025**, and again on **February 2, 2025** (at 8:00 a.m., 4:00 p.m., 7:00 p.m., and 9:04 p.m.), he asked to retrieve it. I told him that I would not return until spring, and that due to **lock changes**, no one could access the unit.
4. On **January 3, 2025**, while I was abroad, **Jason Frew unlawfully entered my apartment** using a revoked key. I watched the entry via remote camera and verbally instructed him to leave. Instead, **he unplugged the camera**, cutting the feed. When my parents returned, items were missing, including my **Apple iPad**.
5. I reported this to the **Louisville Metro Police Department**, which refused to respond due to a snow emergency and my location outside the U.S. The **Jefferson County Sheriff's Office** also refused to act.
6. I then requested that **Ivy Apartments change the locks** on both my apartment and storage unit. By **February 11, 2025**, new locks were installed, and keys were issued to my parents, **Jo Anne and Stephen Feldman**.
7. After receiving the keys, my parents entered the storage unit and confirmed the **black wagon was still present**. They took a photograph and showed it to me.
8. On **May 18 or 19, 2025**, my parents returned to the unit to post federal notices. They found the **wagon and all contents missing**. There were **no signs of forced entry**, indicating that access occurred using a key or authorization by Ivy staff. Given Mr. Frew's prior knowledge of the unit's location and contents, I believe he accessed it with assistance or deceit.
9. In emails sent on or around **February 9–10, 2025**, Mr. Frew issued **threats** to both me and my mother. He accused me of "spreading information" to Shain Jackson about the

break-in and stated that I should "stay wherever [I am] in order to remain safe," and that if I returned, I would need to "walk a wide circle around [him]."

10. These communications are abusive and retaliatory. Mr. Frew specifically referenced my accurate statements to Mr. Jackson, which demonstrates that he knew I had identified him as the person who unlawfully entered my home and had knowledge of the gym equipment's location.
11. After the break-in, I tracked my **stolen iPad** via **Google Location Sharing**, which showed activity between **The Ivy Apartments and Middletown**, despite the device being powered off and packed away in a locked room. The iPad later showed signs of having been accessed using **Jason Frew's Gmail account**.
12. I informed both LMPD and the Sheriff's Office. **Neither agency responded, filed a report, or investigated**, despite documentation and electronic tracking.
13. On **May 19, 2025**, I filed emails showing that **Christian Blake Heath committed perjury** by testifying that I had never attempted to pay rent. In truth, I emailed him:

- **March 18, 2025**, requesting payment instructions;
- **March 22, 2025**, confirming identity and willingness to pay under protest;
- **March 28, 2025**, offering final confirmation and reiterating my intent to pay if allowed.

14. **John Benz, Esq.**, was copied on these emails and also falsely claimed no payment attempts had occurred. He denied this in both **state and federal court filings**, knowingly relying on perjured testimony to pursue an eviction.
15. These communications were **filed with the court and placed into the record on May 19, 2025**, yet **Judge Sarah Clay Rutledge refused to allow the emails to be cited or**

reviewed. She signed an **eviction order on May 13, 2025**, one day after the case had been removed to federal court — rendering her order **void under 28 U.S.C. § 1446(d)**.

16. During that same hearing, **Michelle Rawn** appeared twice on video — once under her own name and once in **John Benz's feed**. She joined filings falsely alleging nonpayment, despite documentary evidence in the court's possession disproving the claim. These actions reflect a coordinated effort to defraud the court.
17. Meanwhile, **Jason Frew has remained in contact with Ivy staff**, who had knowledge of where the gym gear was stored. I believe Mr. Frew provided false or manipulative information to regain access. The absence of forced entry further proves the removal was facilitated by **internal cooperation or key-based entry**.
18. In May 2025, I posted legal notices to my door and storage unit, including:

- My federal case number;
- References to **28 U.S.C. § 1446(d)**;
- My active **HUD complaint (Form HUD-903.1, OMB Control No. 2529-0011)**.

These signs were removed without permission. My parents have since **reposted updated notices warning of criminal liability** for tampering.

19. Despite all this, the **Jefferson County Sheriff's Office has stated its intent to forcibly remove my property on May 21, 2025**, based on the void state court judgment. This will mark the **third instance of property removal or threatened seizure** while law enforcement and the courts have ignored documented theft and perjury.
20. I have been unable to return due to verified illness, hospitalization, and the burden of daily legal filings required to stop what has become a coordinated, retaliatory campaign. I

am left fighting from abroad to preserve my rights and property without physical access or local support.

21. These events — including theft, perjury, obstruction, retaliation, and misuse of state authority — constitute:

- **Conspiracy against rights (18 U.S.C. § 241)**;
- **Perjury (18 U.S.C. § 1621)**;
- **Obstruction of justice (18 U.S.C. § 1512)**;
- **Retaliation under the Fair Housing Act (42 U.S.C. § 3617)**;
- And violations of **28 U.S.C. § 1446(d)** and the Due Process Clause.

22. I respectfully submit this sworn declaration in support of all requested relief.

Attached Exhibits:

- **Exhibit F:** Copy of federal door signage posted and later unlawfully removed. Now includes the attached Trespass language
- **Exhibit G:** Public press releases issued regarding this case and the systemic misconduct alleged.

These exhibits are submitted to corroborate factual statements in this declaration and are incorporated by reference.

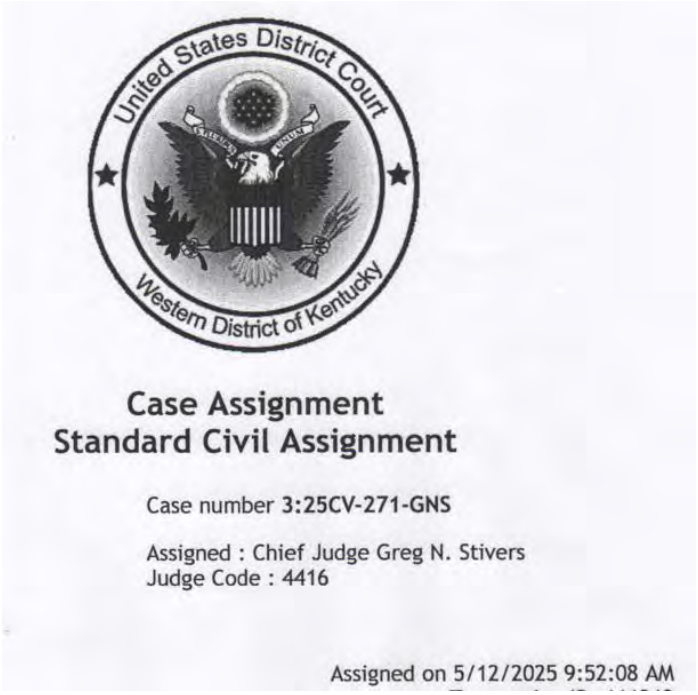
Verification and Conclusion

I, Dr. Daniel J. Feldman, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief. I respectfully request that the Court take judicial notice of the facts herein and issue emergency relief as described in my accompanying motions.

Executed on this 20th day of May, 2025.
Residence: Louisville, Kentucky

Daniel J. Feldman, Ph.D.
8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
Plaintiff, Pro Se

- **Exhibit F:** Copy of federal door signage posted and later unlawfully removed. Now includes the attached Trespass language



🛑 NOTICE:

FEDERAL JURISDICTION —

DO NOT ENTER OR ENFORCE

Pursuant to 28 U.S.C. § 1446(d)

Under federal law:

- Any action that interferes with access to or notice of a federal court's jurisdiction may be construed as obstruction or contempt.
- Removing signage tied to a federal court's enforcement stay may constitute interference with judicial process, especially if done by or at the direction of a party to the litigation (e.g., Ivy, Highmark, or their counsel/agents).

⚠️ FEDERAL NOTICE – DO NOT REMOVE

This posting is issued pursuant to active federal jurisdiction under 28 U.S.C. § 1446(d) and in support of a pending federal complaint before the U.S. Department of Housing and Urban Development (HUD):

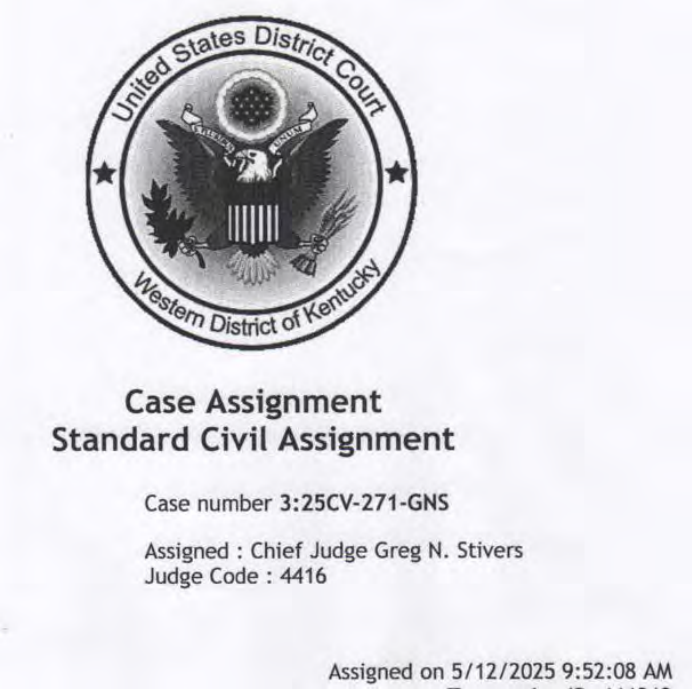
- Form HUD-903.1 | OMB Control No. 2529-0011
- Filed: March 2025
- Subject: Retaliation, disability discrimination, and interference with federally protected housing rights.

This signage is part of the legal record in Case No. 3:25-CV-271-GNS in the U.S. District Court for the Western District of Kentucky.

🔒 CRIMINAL TRESPASS & TAMPERING NOTICE

This posting is affixed to private property under federal jurisdiction. Any unauthorized removal, destruction, or tampering will be treated as criminal trespass and obstruction and referred to local law enforcement, the U.S. District Court, and HUD.

You are hereby notified that further interference will result in immediate criminal and civil action, including notice to the Department of Justice and the Kentucky Attorney General.



🛑 NOTICE:

FEDERAL JURISDICTION —

DO NOT ENTER OR ENFORCE

Pursuant to 28 U.S.C. § 1446(d)

This property is under the jurisdiction of the **U.S. District Court for the Western District of Kentucky**.

⚖️ **LEGAL STATUS**

All state court authority over this matter is **terminated** as of May 12, 2025.
Pursuant to **28 U.S.C. § 1446(d)**:

"The State court shall proceed no further unless and until the case is remanded."

Any order entered by the Jefferson District Court after this date — including the **May 13, 2025 eviction order** — is **void ab initio** and has no legal effect.

Judge Lisa Langford's ruling was entered in violation of federal removal statute.

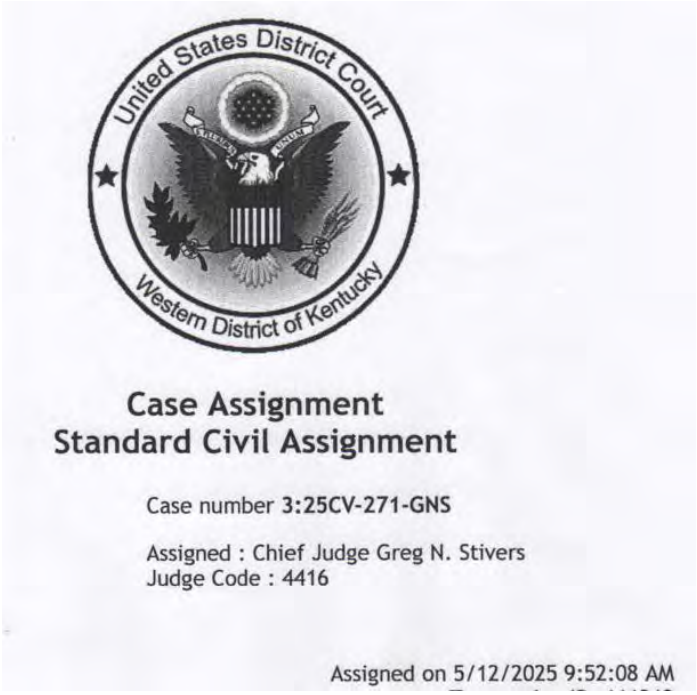
❌ **ENFORCEMENT OFFICIALS: TAKE NOTICE**

- **No eviction, entry, or possession transfer** may lawfully proceed.
- **Any enforcement attempt may constitute unlawful action** under federal law.
- **Any action taken pursuant to a void state order may result in liability.**

📩 **CONTACT FOR URGENT LEGAL VERIFICATION:**

Daniel J. Feldman, Ph.D. **307-699-3223 (cell)**
Email: danieljfeldmanphd@gmail.com

Jo Anne Feldman (authorized agent)
Phone: 502-429-3567 (home) | 502-797-2506 (cell)
Email: jojofeld@bellsouth.net
Address: 8809 Denington Drive, Louisville, KY 40222



🛑 NOTICE:

FEDERAL JURISDICTION —

DO NOT ENTER OR ENFORCE

Pursuant to 28 U.S.C. § 1446(d)

This property is under the jurisdiction of the **U.S. District Court for the Western District of Kentucky**.

⚖️ LEGAL STATUS

All state court authority over this matter is **terminated** as of May 12, 2025.
Pursuant to **28 U.S.C. § 1446(d)**:

"The State court shall proceed no further unless and until the case is remanded."

Any order entered by the Jefferson District Court after this date — including the **May 13, 2025 eviction order** — is **void ab initio** and has no legal effect.

Judge Lisa Langford's ruling was entered in violation of federal removal statute.

❌ ENFORCEMENT OFFICIALS: TAKE NOTICE

- **No eviction, entry, or possession transfer** may lawfully proceed.

🚫 STORAGE UNIT TRESPASS NOTICE

These storage units are private property and subject to federal jurisdiction.
No entry, unlocking, removal, or access is permitted by any party, including The Ivy Apartments, Highmark Residential, or their agents.
Any unauthorized access will be treated as **criminal trespass** and will be reported.

📩 CONTACT FOR URGENT LEGAL VERIFICATION:

Daniel J. Feldman, Ph.D. **307-699-3223 (cell)**
Email: danieljfeldmanphd@gmail.com

Jo Anne Feldman (authorized agent)
Phone: 502-429-3567 (home) | 502-797-2506 (cell)
Email: jojofeld@bellsouth.net
Address: 8809 Denington Drive, Louisville, KY 40222

- **Exhibit G:** Public press releases issued regarding this case and the systemic misconduct alleged.

FOR IMMEDIATE RELEASE

May 21, 2025

What Happens When You're Sued by a Landlord With a Lawyer — and You Don't Have One?

You lose. Not just the case. But your rights. Your voice. Your home.

And the court system is built to make sure of it
— with different rules, different access, and different expectations depending on whether you're represented or not.

ONE DOCTOR.

ONE HOSPITAL BED.

ONE LITTLE OLD LADY ON A WALKER.

ONE HUGE FEDERAL LAWSUIT.

Dr. Daniel J. Feldman, a clinical neuropsychologist, was **hospitalized for a stroke on May 6, 2025, and remained in the hospital until May 15**. Despite the court being informed of his condition, **Judge Lisa Langford of Jefferson District Court held an eviction hearing on May 13**, while Dr. Feldman was still in a hospital bed.

Now, Dr. Feldman is filing a **nationwide federal civil rights lawsuit** asking the court to **pause or stay all cases in every jurisdiction where pro se litigants — or defendants without lawyers — are treated differently** than represented parties.

Federal Removal Was Filed.

The Judge Knew.

The Sheriff Knew.

They're Proceeding Anyway.

Dr. Feldman removed his case to **U.S. District Court on May 12, 2025**. Under federal law — **28 U.S.C. § 1446(d)** — all state court proceedings and enforcement actions are **automatically stayed** upon removal. The court, the sheriff, and the landlord were all notified in writing.

Despite this, the **Jefferson County Sheriff's Office plans to execute the eviction today**, May 21, 2025 — unlawfully.

The federal court notices posted on Dr. Feldman's door were torn down.
The sheriff's office was informed of the federal stay **more than five days ago.**
They acknowledged receipt — and are choosing to proceed anyway.

When Dr. Feldman contacted the **U.S. Marshal's Office**, he was told that they "would contact Judge Stivers." He called **Judge Stivers' chambers** and was told the judge had reviewed the emergency filings and was "planning to rule." That was more than 24 hours ago. As of 5:30 AM today, no order has been issued. No protection is in place.

The Landlord Has an F Rating. The Courts Don't Care.

The eviction is being carried out by **Highmark Residential**, parent company of The Ivy Apartments — a corporate landlord with an **F rating from the Better Business Bureau**, and named in the **federal RICO rent price-fixing lawsuit** against RealPage.

These are the parties that courts protect.
These are the people Judge Langford sides with.

And this is what eviction in America looks like in 2025.

The System Is Rigged — And This Lawsuit Aims to Freeze It

Dr. Feldman's lawsuit is now national in scope. It demands:

- **A stay of all court proceedings** where pro se and represented parties are treated differe ntly
- **Accountability for sheriff's departments** who knowingly enforce voided state orders
- **Scrutiny of judges who mock federal law** while evicting disabled, hospitalized Americans
- **National review of court clerks and practices** that give attorneys informal access while d enying basic filing rights to unrepresented people

---

"This is why I cannot accept representation," Dr. Feldman says.
"The only way I can prove that justice doesn't exist for people like me is to try to win without a l awyer. Because if I can't win this — when the law and the filings and the facts are this clear — then no one can. And if that's true, then the 14th Amendment isn't real. It never has been."

Contact for Interviews or Legal Action

Dr. Daniel J. Feldman, Ph.D.
danieljfeldmanphd@gmail.com
+1 (307) 699-3223 (Uruguay)

Jo Anne Feldman (Authorized Agent)
jojofeld@bellsouth.net
+1 (502) 429-3567 (home) | +1 (502) 797-2506 (cell)

URGENT IMMEDIATE PRESS RELEASE

LOUISVILLE COURTS ENABLE PREDATORY EVICTION SCHEME TARGETING DISABLED TENANTS

Court insiders reveal Jefferson County judges collaborate with landlords who have an “F” rating from the Better Business Bureau to abuse vulnerable renters

Louisville, KY — April 18, 2025

Disabled Louisville resident Dr. Daniel J. Feldman has documented more than three years of targeted harassment and illegal eviction attempts by management at **The Ivy Apartments** (managed by **Highmark Residential**) and their attorneys at the **Rawn Law Firm**. Despite submitting extensive verified evidence of retaliation, harassment and resulting medical harm including loss of vision, and deliberate obstruction, **Jefferson Circuit Court Judge Sarah Clay** has systematically refused hearings, denied required ADA accommodations, and blocked legitimate filings—enabling these abuses to persist unchecked.

THE FOUR-STEP SCHEME

1. **Block tenants from legally ending their lease.**
2. **Refuse tenants' rent payments to fabricate claims of “nonpayment.”**
3. **File eviction lawsuits using false nonpayment allegations.**
4. **Demand tenants pay rent for a full-year lease that tenants never agreed to.**

Court employees, speaking anonymously due to fear of retaliation, confirmed that the Rawn Law Firm frequently employs this predatory eviction scheme against vulnerable tenants, relying on active cooperation from Jefferson County courts. Court officials consistently obstruct tenants' filings, deny their requests for fair hearings, and ignore legally mandated disability accommodations.

The Ivy Apartments, managed by **Highmark Residential** since spring 2022, currently holds an **“F” rating** from the **Better Business Bureau**, reflecting over **120 documented tenant complaints** involving harassment, unfair eviction practices, financial abuse, and unsafe living conditions.

Despite extensive evidence presented by Dr. Feldman—including documentation of severe medical harm from management's interference with medications—the court refused to review his filings, dismissed his case without holding a hearing, and openly ignored his ADA-required requests for remote participation.

> Dr. Feldman said,***"I am awestruck by Judge Clay's complete disregard for vulnerable people who come to her court with disability requests, who are clearly being abused, and who explicitly request protective restraining orders. Instead of offering justice or due process, she denies tenants a fair hearing and throws out all their evidence without even looking at it. This is shocking, disgraceful, and an insult to the people of Jefferson County."***

Dr. Feldman has actively sought federal intervention, and the Human Rights Commission of Louisville (HRC) and Housing and Urban Development (HUD) have opened formal investigations into these matters. Dr. Feldman, with the help of these advocacies, demands accountability from both the predatory landlords and the court system enabling their abuse.

Monday, April 21, Is the last day for Dr. Feldman to file for damages before they are ineligible, and Judge Clay has unlawfully blocked his ability to file anything with the court. Immediate intervention is needed from court officers or from civil rights groups by the end of the day on April 21.

ABOUT DR. DANIEL FELDMAN

Dr. Feldman is a disabled clinical neuropsychologist and professionally trained massage therapist. He is a federal whistleblower who successfully exposed high-level government corruption, prevailing at the Second Circuit Court of Appeals in 2012. His courageous efforts recovered millions of taxpayer dollars stolen by corrupt practices, at significant personal cost and without personal gain. Dr. Feldman is currently organizing a hunger strike beginning July 4th to protest corruption in court proceedings, specifically targeting systemic abuses against tenants who face harassment from landlords and receive no protection from the courts. His activism highlights cases of severe harm, including permanent personal injuries—most recently, his loss of eyesight due to sustained harassment by management at The Ivy Apartments.

MEDIA CONTACT

Daniel J. Feldman, Ph.D.
danieljfeldmanphd@gmail.com

(307) 699-3223 or (435) 612-0242

REFERENCES AND CITATIONS

1. **BBB Record – The Ivy Apartments (Louisville, KY):**
   The Ivy Apartments maintain an "F" rating at the Better Business Bureau, reflecting 120+ tenant complaints, often involving harassment, unsafe conditions, and disputes over lease terms.
   - **Link**: BBB.org The Ivy Apartments
2. **Highmark Residential Rent-Price Collusion:**
   Highmark Residential is a named defendant in a multi-state antitrust lawsuit alleging that it conspired with other landlords to inflate rent prices using RealPage's revenue management software.
   - **Link**: Bloomberg Law on Price-Fixing Lawsuit
3. **Investigation into Unlawful Eviction-Related Fees:**
   A North Carolina–based firm investigated Highmark Residential for allegedly imposing illegal fees during eviction processes, adding hundreds of dollars in extra charges for tenants already behind on rent.
   - **Link**: Carolina Law Firm Investigation
4. **Rawn Law Firm – Specialization in Evictions:**
   The Rawn Law Firm in Louisville publicly markets eviction and rent-collection services, emphasizing swift landlord-friendly outcomes.
   - **Link**: RawnLawFirm.com
5. **Examples of Jefferson County Court Bias in Evictions:**
   Local investigations uncovered an "assembly line" eviction process that grants landlords immediate judgments, often without a hearing or with only seconds of review. Tenants typically lack representation or remote hearing accommodations.
   - **Link**: Kentucky Equal Justice Center (eviction reports)
   - **Link**: WLKY Investigative Coverage

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE OF FILING: May 20, 2025

CHIEF JUDGE GREG N. STIVERS

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF SUPPLEMENTAL EMERGENCY MOTION

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

MEMORANDUM OF POINTS AND AUTHORITIES

IN SUPPORT OF SUPPLEMENTAL EMERGENCY MOTION TO ENFORCE FEDERAL JURISDICTION, HALT UNLAWFUL STATE ENFORCEMENT, AND REFER CRIMINAL CONDUCT

I. INTRODUCTION

Plaintiff respectfully submits this memorandum in support of his **Supplemental Emergency Motion** seeking enforcement of federal jurisdiction under **28 U.S.C. § 1446(d)**, a **Temporary Restraining Order**, and referral of individuals for **criminal violations** arising from unlawful entries, perjury, obstruction, and retaliation.

Despite proper removal to federal court on **May 12, 2025**, Defendants and the Jefferson County Sheriff's Office have continued to act as if jurisdiction remains with state court. The result is a pending **eviction enforcement based on a void state order**—alongside new incidents of unauthorized entry, theft, and material perjury.

Immediate relief is required to preserve the integrity of this Court's jurisdiction and prevent irreparable harm.

II. LEGAL STANDARD

A party seeking a Temporary Restraining Order must demonstrate:

1. A substantial likelihood of success on the merits;
2. A risk of irreparable harm in the absence of relief;
3. That the balance of equities favors the moving party;
4. That an injunction is in the public interest.

See *Winter v. Nat. Res. Def. Council*, 555 U.S. 7 (2008); *Overstreet v. Lexington-Fayette Urban Cty. Gov't*, 305 F.3d 566 (6th Cir. 2002).

III. ARGUMENT

A. Federal Jurisdiction Bars State Enforcement Under 28 U.S.C. § 1446(d)

Once a Notice of Removal is filed, **"the State court shall proceed no further unless and until the case is remanded."**

See *Mays v. City of Flint*, 871 F.3d 437, 442 (6th Cir. 2017).

Here, Plaintiff filed for removal on **May 12, 2025**, and a federal case was docketed the same day. The **state court eviction order was entered on May 13**, in violation of § 1446(d), and is therefore **void ab initio**.

Enforcement by the Sheriff's Office would violate federal supremacy and expose all actors to liability under 42 U.S.C. § 1983 and related doctrines.

B. Unlawful Entry, Theft, and Perjury Warrant Criminal Referral

Plaintiff has submitted evidence that:

- Defendant **Jason Frew** unlawfully entered Plaintiff's apartment and disconnected surveillance (Jan. 3, 2025);
- Items, including an iPad and gymnastic gear, were stolen from Plaintiff's locked storage unit with **no sign of forced entry** (May 18–19, 2025);
- Ivy staff member **Christian Blake Heath** knowingly submitted **false sworn testimony** that Plaintiff never attempted rent payment—contradicted by **three emails on March 18, 22, and 28**, all in the record.

These acts warrant referral under:

- **18 U.S.C. § 1621** – Perjury;
- **18 U.S.C. § 1512** – Obstruction of justice;
- **18 U.S.C. § 241** – Conspiracy against rights.

C. Plaintiff Faces Irreparable Harm Absent Federal Intervention

If eviction is executed on **May 21, 2025**, Plaintiff will suffer:

- Dispossession of essential property;
- Destruction of legally protected evidence;

- Continued retaliation while abroad and medically incapacitated.

Monetary damages are insufficient where constitutional violations and privacy invasions are ongoing. *Elrod v. Burns*, 427 U.S. 347, 373 (1976) (loss of constitutional rights constitutes irreparable harm).

D. Public Interest and Balance of Equities Favor Relief

Federal courts have a strong interest in enforcing their own jurisdiction. Courts must protect pro se litigants from retaliation, especially those facing documented disability and judicial bias.

The public also has an interest in ensuring that:

- Sheriffs obey federal removal statutes;
- State courts do not exceed their jurisdiction;
- Retaliation against federal whistleblowers is not tolerated.

IV. CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests:

1. Immediate issuance of a **Temporary Restraining Order** to halt eviction;
2. Orders to **show cause** directed at the Jefferson County Sheriff and responsible defendants;

3. Referral of Christian Blake Heath, Jason Frew, John Benz, and others for potential criminal prosecution;

4. Any other relief this Court deems just and proper.

Respectfully submitted,

Daniel J. Feldman, Ph.D. Date: May 20, 2025

8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
Plaintiff, Pro Se

[PROPOSED] ORDER TO SHOW CAUSE RE: CRIMINAL REFERRAL UNDER 18 U.S.C. §§ 241, 1512, 1621

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 20, 2025

CHIEF JUDGE GREG N. STIVERS

(proposed) ORDER TO SHOW CAUSE

RE: CRIMINAL REFERRAL UNDER

18 U.S.C. §§ 241, 1512, 1621

[PROPOSED] ORDER TO SHOW CAUSE

RE: CRIMINAL REFERRAL UNDER 18 U.S.C. §§ 241, 1512, 1621

Upon review of Plaintiff's Motion and verified declaration alleging criminal conduct by named parties, IT IS HEREBY ORDERED:

1. The following individuals are ORDERED TO APPEAR AND SHOW CAUSE why they should not be referred to federal law enforcement for criminal investigation and prosecution under the United States Code:
    - **Christian Blake Heath**, for perjury in judicial proceedings (18 U.S.C. § 1621);
    - **Jason Frew**, for repeated theft, intimidation, evidence tampering, and threats (18 U.S.C. §§ 1512, 241);
    - **John R. Benz, Esq.**, for obstruction of justice and knowing use of perjured testimony (18 U.S.C. §§ 1512, 241).
2. The Court reserves jurisdiction to issue direct referrals to the **U.S. Attorney for the Western District of Kentucky**, the **FBI**, and the **Kentucky Attorney General's Office** upon receipt of further filings or hearing testimony.

SO ORDERED.

DATED: _____, 2025

Chief Judge Greg N. Stivers
U.S. District Court – W.D. Ky.

[PROPOSED] ORDER GRANTING TEMPORARY RESTRAINING ORDER TO HALT UNLAWFUL ENFORCEMENT BY JEFFERSON COUNTY SHERIFF'S OFFICE

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 20, 2025

CHIEF JUDGE GREG N. STIVERS

(proposed) ORDER GRANTING

TEMPORARY RESTRAINING ORDER

TO HALT UNLAWFUL ENFORCEMENT

BY JEFFERSON COUNTY

SHERIFF'S OFFICE

[PROPOSED] TEMPORARY RESTRAINING ORDER

TO HALT UNLAWFUL ENFORCEMENT BY JEFFERSON COUNTY SHERIFF'S OFFICE

Upon review of Plaintiff's Supplemental Emergency Motion and supporting evidence, and good cause appearing:

IT IS HEREBY ORDERED:

1. The **Jefferson County Sheriff's Office** is hereby **RESTRAINED AND ENJOINED** from executing any writ of possession or eviction judgment at **Apartment 3303, The Ivy Apartment Homes**, or against Plaintiff **Dr. Daniel Feldman**, until further order of this Court.
2. The eviction judgment issued by Jefferson District Court on **May 13, 2025** is declared **void ab initio** under **28 U.S.C. § 1446(d)** and shall not be enforced by any state actor.
3. The Court shall schedule a preliminary injunction hearing immediately to determine if permanent relief is warranted.

SO ORDERED.

DATED: _____, 2025

Chief Judge Greg N. Stivers
U.S. District Court – W.D. Ky.

[PROPOSED] ORDER GRANTING TEMPORARY RESTRAINING ORDER TO HALT UNLAWFUL ENFORCEMENT BY JEFFERSON COUNTY SHERIFF'S OFFICE

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 20, 2025

CHIEF JUDGE GREG N. STIVERS

(proposed) ORDER GRANTING

TEMPORARY RESTRAINING ORDER

TO HALT UNLAWFUL ENFORCEMENT

BY JEFFERSON COUNTY

SHERIFF'S OFFICE

[PROPOSED] ORDER TO SHOW CAUSE

RE: CONTEMPT BY JEFFERSON COUNTY SHERIFF'S OFFICE

Upon review of Plaintiff's emergency filings and accompanying evidence, the Court finds sufficient cause to issue the following:

IT IS HEREBY ORDERED:

1. The **Jefferson County Sheriff's Office** is ORDERED TO APPEAR AND SHOW CAUSE why it should not be held in **civil contempt of federal jurisdiction** for:
    - Threatening to execute a void state eviction order issued after federal removal,
    - Ignoring repeated reports of criminal conduct and theft against the Plaintiff,
    - Acting in coordination with private defendants to unlawfully deprive Plaintiff of property and protection.
2. The Court will schedule a show cause hearing and authorize supplemental filings from Plaintiff or witnesses in support of sanctions, oversight, or referral.

SO ORDERED.

DATED: _____, 2025

Chief Judge Greg N. Stivers
U.S. District Court – W.D. Ky.

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 20, 2025

CHIEF JUDGE GREG N. STIVERS

NOTICE OF FILING SUPPLEMENTAL EMERGENCY MOTION AND SUPPORTING DOCUMENTS

TO THE HONORABLE CHIEF JUDGE STIVERS OF THE UNITED STATES DICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

- ## NOTICE OF FILING

Plaintiff Dr. Daniel J. Feldman hereby gives notice of filing the following documents in support of his pending emergency request for injunctive relief, contempt findings, and criminal referral:

- Supplemental Emergency Motion to Enforce Federal Jurisdiction, Prevent Unlawful Eviction, and Refer Criminal Conduct
- Memorandum of Points and Authorities
- Verified Affidavit of Dr. Daniel J. Feldman
- Exhibit F: Federal Jurisdiction Signage with Criminal Notice (removed and reposted)
- Exhibit G: Public Press Releases detailing systemic court obstruction

These filings are made in support of immediate relief, including a Temporary Restraining Order, criminal referral to U.S. Attorney and state authorities, and a show cause hearing regarding contempt and perjury.

Filed: May 20, 2025

Daniel J. Feldman, Ph.D.
Pro Se
8809 Denington Drive
Louisville, KY 40222
danieljfeldmanphd@gmail.com
(307) 699-3223
Dated: **May 20, 2025**

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-00396

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 20, 2025

CHIEF JUDGE GREG N. STIVERS

PROOF OF SERVICE FOR MEMO

FOR POINTS AND AUTHORITIES FOR

FEDERAL JURISDICTION AND TO REBUT

EXPECTED REMAND REQUEST

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF KENTUCKY:;30AM

PROOF OF SERVICE

I, Daniel J. Feldman, declare as follows:

1. I am the plaintiff in this matter, acting pro se.
2. On **May 20, 2025**, I served the following documents on all parties:
    - Supplemental Emergency Motion to Enforce Federal Jurisdiction
    - Memorandum of Points and Authorities
    - Affidavit of Dr. Daniel J. Feldman
    - Proposed Orders for TRO, Contempt, and Criminal Referral
    - Exhibit F (Federal Jurisdiction Signage)
    - Exhibit G (Press Releases and Public Record Summaries)
3. I served these documents by **email and electronic PDF attachments**, pursuant to Local Rule and standard electronic notice, to the following recipients:
    - **John R. Benz, Esq.** – jbenz@rawnlawfirm.com
    - **Michelle Rawn, Esq.** – mrawn@rawnlawfirm.com
    - **Christian Blake Heath (Ivy Staff)** – TheIvyACD@highmarkres.com
    - **The Ivy Management** = Mary Beth Woodard <mwoodard@highmarkres.com>
    - **Jefferson County Sheriff – Civil Division** – mberghaus@jcsoky.org
    - **U.S. Marshal (Louisville District)** – wdky-info@usmarshals.gov
    - **Jayson Frew** – jayson.frew@gmail.com

- "Young, Briona" <brionayoung@kycourts.net>,
  "Blair, Ramone" <RamoneBlair@kycourts.net>,
  "Walsh, Grace" <Grace.Walsh@louisvilleky.gov>,
  "Davis, Leslie" <lesliedavis@kycourts.net>,
  "Vickery, Ashley" <AshleyVickery@kycourts.net>,
  jeffcodistrictcourtadmin@kycourts.net

4. Service was also provided via the Court's ECF system (where applicable), and physical posting was completed at the subject premises as required for public notice.
5. None of the emails were returned as not being received.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on: May 20, 2025
Location: Louisville, Kentucky

Daniel J. Feldman, Ph.D. Date: May 19, 2025

8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com

+1 (307) 699-3223
Plaintiff, Pro Se

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 21, 2025

CHIEF JUDGE GREG N. STIVERS

COVER LETTER FOR

US MARSHAL'S SERVICE

JEFFERSON COUNTY SHERIFF'S OFFICE

IVY PROPERTY MANAGEMENT

JOINT SERVICE COVER LETTER AND

NOTICE OF EMERGENCY FILINGS

TO: **U.S. Marshals Service,**

Jefferson County Sheriff's Office, and

Ivy Property Management

RE: Ongoing Criminal Conduct, Constructive Eviction, and Enforcement of Void State Order

Filed in: Feldman v. Ivy, Case No. 3:25-CV-271-GNS (W.D. Ky.)

Date: May 21, 2025

This letter serves as formal notice that **Ivy Management has already taken extrajudicial action** to remove court-posted federal signage, deny access to secured storage units, and refuse emergency repairs — all before any lawful eviction could take place. These acts occurred **inside a secure apartment complex**, where access is limited to **residents and Ivy employees only**.

Ivy's **willful removal of federal court notices**, after being **served with judicial documents** warning that such removal would constitute obstruction and trespass, is not speculative. It is **confirmed**. There is no lawful explanation for these actions, and no other party could have executed them without knowledge, access, and intent.

Furthermore, **Ivy Management has not responded** to a direct and documented after-hours emergency maintenance request left on their voicemail system at **2:40 AM on May 21, 2025**, referencing urgent security threats and Ivy's own contractual obligation to provide lock repairs. **No repair has been made. No contact has been returned. The doors remain unsecured.**

The **Jefferson County Sheriff's Office and U.S. Marshals Service have also failed to confirm receipt** of any of Plaintiff's service emails, court filings, or formal jurisdictional warnings. Despite over **a week of continuous notice** and three rounds of formal emergency filings, no acknowledgment, guidance, or assurance of enforcement protocol has been provided by either agency.

This inaction by the Sheriff and Marshals has **invited a jurisdictional conflict**. It has **left federal court orders unenforced**, **forced Plaintiff to self-coordinate law enforcement**, and directly **enabled Ivy's unlawful, extrajudicial retaliation** in defiance of this Court's active jurisdiction.

NOTICE OF FILINGS

The following emergency filings were submitted on **May 21, 2025**, to the U.S. District Court for the Western District of Kentucky and are hereby served on the undersigned parties:

1. **Second Supplemental Emergency Motion to Enforce Federal Jurisdiction, Block Unlawful Eviction, and Refer Criminal Conduct**
2. **Supplemental Memorandum of Points and Authorities**

3. **Second Affidavit of Dr. Daniel J. Feldman**
4. **Exhibit H – Photographs of Lock Tampering and Removed Signage (taken May 20, 2025)**
5. **Notice of Filing**
6. **Proof of Service**

TO THE SHERIFF'S OFFICE:

You are now on **final notice** that enforcement of the May 13, 2025 eviction order is a violation of **28 U.S.C. § 1446(d)**. The order is **void**, having been entered after removal. Any effort to proceed will constitute:

- **Contempt of federal jurisdiction**
- **Civil rights violations under 42 U.S.C. § 1983**
- **Personal liability** for participating in the enforcement of an extrajudicial act

The building is secure. Only Ivy staff or residents could have carried out the break-ins and signage removal. Ivy has acted **before your office arrived**, which itself constitutes a **self-help eviction** under Kentucky law — specifically forbidden under **KRS § 383.195** and **Baker v. Rice**, 671 S.W.2d 241 (Ky. Ct. App. 1984).

TO THE U.S. MARSHALS SERVICE:

You are respectfully requested to intervene or notify the Court of your authority under **28 U.S.C. § 566(c)** to protect federal proceedings. This property is the subject of an active emergency filing. Your continued silence while extrajudicial acts occur on federally protected property is functionally enabling unlawful state enforcement.

TO IVY MANAGEMENT:

You are on formal notice that you have:

- Removed federal signage from secured areas **twice**, after being warned of criminal liability
- Refused to respond to an emergency maintenance request for unsecured doors
- Allowed property interference and lock removal in advance of any lawful enforcement
- Enacted a **constructive eviction** and triggered **liability for retaliation and due process violations** under federal law

These acts were taken after receiving full notice of this Court's jurisdiction and Plaintiff's emergency filings.

FINAL DEMAND:

If any further enforcement action is taken **today** or thereafter, it will be treated as **criminal interference with a federal proceeding**, and Plaintiff will seek the **maximum civil and criminal penalties available under law**, including emergency contempt, referral to the U.S. Attorney, and direct liability under § 1983 and related statutes.

You are each **demanded to pause** all enforcement actions and await a ruling from **Chief Judge Stivers**.

Respectfully submitted,

Dr. Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
Email: danieljfeldmanphd@gmail.com
Phone: +1 (307) 699-3223
May 21, 2025

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 21, 2025

CHIEF JUDGE GREG N. STIVERS

SECOND SUPPLEMENTAL EMERGENCY MOTION TO ENFORCE FEDERAL JURISDICTION, PREVENT UNLAWFUL EVICTION, AND REFER CRIMINAL CONDUCT TO U.S. ATTORNEY

TO THE HONORABLE CHIEF JUDGE STIVERS OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

SECOND SUPPLEMENTAL EMERGENCY MOTION TO ENFORCE FEDERAL JURISDICTION, ISSUE PROTECTIVE ORDERS, AND REFER CRIMINAL CONDUCT

Plaintiff, Dr. Daniel J. Feldman, appearing pro se, respectfully submits this second supplemental emergency motion to enforce federal jurisdiction, to issue protective and injunctive relief, and to refer criminal conduct to appropriate authorities.

This motion supplements Plaintiff's prior emergency filings, including the Supplemental Emergency Motion submitted on May 20, 2025. As documented in the accompanying Supplemental Affidavit No. 2, urgent and materially new facts have arisen which confirm the immediate risk to Plaintiff's federally protected interests, property, and access to justice.

GROUNDS FOR SUPPLEMENTAL RELIEF

1. On the evening of May 20, 2025, Officer Carmel of the LMPD 8th Division confirmed that the locks and door handles of Plaintiff’s storage units had been forcibly removed, the doors left unsecured, and Plaintiff’s federal court signage had been torn down. These facts establish illegal entry and tampering with property under federal court protection.

2. Officer Carmel photographed the damage but refused to release the photos to Plaintiff because he is pro se. The officer stated that only a judge or retained counsel could request the evidence. This is a direct denial of equal protection and materially supports Plaintiff's removal under **28 U.S.C. § 1443(1)**.

3. Officer Carmel further refused to investigate Defendant Jason Frew, who resides in the adjacent building and has previously admitted to entering Plaintiff's unit and disabling surveillance. Despite Plaintiff offering to provide remote access, the officer declined.

4. Ivy Management has refused to respond to this emergency. Plaintiff left a recorded voicemail at 2:40 AM on May 21, 2025, requesting after-hours emergency lock repair pursuant to the lease's emergency maintenance policy. The unit remains unsecured. This inaction constitutes **constructive eviction** and dangerous neglect. According to Ivy's own after-hours call system, emergency maintenance includes "**a security threat such as a broken window, door frame, or door lock**," and instructs residents to press 4 for immediate dispatch if those conditions are present. The failure to respond despite this internal policy is a breach of contractual duty and further evidence of retaliatory indifference to Plaintiff's rights and property.

5. Earlier in the week, Plaintiff posted signs on both the apartment door and storage unit doors identifying the property as under federal jurisdiction pursuant to **28 U.S.C. § 1446(d)** and referencing the active case number **3:25-CV-271-GNS**. These signs were also served on all parties, including Ivy Management and the Jefferson County Sheriff's Office, and included language warning that removal of the signage would violate federal law and constitute obstruction.

6. Those original signs were torn down. Plaintiff replaced them with updated signage explicitly stating that any tampering would be treated as **criminal trespass**, **federal obstruction**, and interference with a federally protected proceeding. Despite this, those new signs were again removed from the storage unit doors after Defendants were formally served with the Emergency Motion and its supporting documents on May 20, 2025.

7. This chain of conduct — destruction of posted federal court notices, failure to respond to confirmed security threats, and deliberate inaction following service — supports Plaintiff's request for emergency protective relief and referral for contempt and obstruction.

8. All of these events occurred **after** Plaintiff filed multiple emergency restraining orders and motions, confirming the immediate and ongoing risk to Plaintiff's safety, property, and due process rights. Each incident further validates the need for protective relief from this Court.

9. Plaintiff has filed emergency restraining order requests in multiple forums across three jurisdictions, all arising from a continuous pattern of unlawful entry, property interference, retaliation, and obstruction by state actors. These filings include:

- **March 31, 2025 – Motion for Temporary Restraining Order and Request for Ex Parte Relief** (Jefferson District Court – served on Defendants but never docketed; referred to Circuit Court without action)
- **April 2, 2025 – Emergency TRO filing in Jefferson Circuit Court**, including verified declaration, ADA remote appearance request, and proposed order for possession and storage protection

- **April 7, 2025 – Supplemental Declaration in Support of Emergency TRO and Request for Clarification** (Jefferson Circuit Court), submitted after court staff refused to docket ADA-compliant filings
- **May 12, 2025 – Emergency Motion for Temporary Restraining Order and Stay of State Proceedings** (U.S. District Court – Western District of Kentucky, Case No. 3:25-CV-271-GNS)
- **May 16, 2025 (Packet 3)** and **May 20, 2025 (Packet 5)** – Supplemental emergency filings with verified affidavits and proposed orders for:

  • **TRO enforcement**

  • **Criminal referral** under **18 U.S.C. §§ 241, 1512, 1621**

  • **Contempt orders** for state and municipal actors interfering with federal jurisdiction under **28 U.S.C. § 1446(d)**

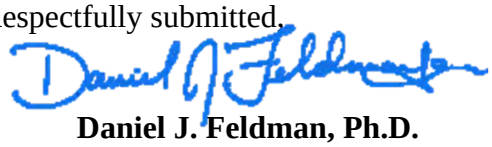
REQUESTED RELIEF

Plaintiff respectfully requests that this Court:

1. Issue an immediate **Temporary Restraining Order** enjoining any eviction or interference with Plaintiff's apartment or storage units;
2. Issue an **Order to Show Cause** for criminal referral of Jason Frew, Ivy staff, and relevant parties for theft, unlawful entry, obstruction, and retaliation;
3. Refer the matter to the **U.S. Marshals Service** for protective enforcement pursuant to 28 U.S.C. § 566(c);
4. Enter an order directing Ivy Management to perform emergency lock replacement or permit Plaintiff to do so by agent at Ivy's expense;

5. Take judicial notice of Supplemental Affidavit No. 2 and accompanying evidence;
6. Grant such other relief as the Court deems just and necessary to prevent further irreparable harm.
7. Award interim compensatory relief for unreimbursed expenses and verified offsets previously submitted by Plaintiff and unrefuted by Defendants, to mitigate ongoing irreparable harm, including medical and legal costs associated with daily emergency compliance.
8. Issue monetary sanctions against Ivy Management and defense counsel pursuant to the Court's inherent authority and Rule 11 for willful misconduct, obstruction, and knowing submission of false representations to the Court.
9. Issue an order to show cause why Defendants should not be held liable for all fees, costs, and actual damages pursuant to **42 U.S.C. § 12133** and **§ 3613(c)**, including—but not limited to—expenses arising from international coordination of law enforcement protection, court filings, service of documents, and emergency relief efforts undertaken daily by Plaintiff from a foreign hospital.
10. Issue a declaratory judgment confirming Plaintiff's lawful possession of the apartment and storage units and staying any eviction or entry until further order of this Court.

Respectfully submitted,



Daniel J. Feldman, Ph.D.
Pro Se
8809 Denington Drive
Louisville, KY 40222
danieljfeldmanphd@gmail.com
(307) 699-3223
Dated: **May 21, 2025**

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25CV-271-GNS

CHIEF JUDGE GREG N. STIVERS

DATE OF FILING: MAY 21, 2025

SECOND AFFIDAVIT OF DR. DANIEL J. FELDMAN IN SUPPORT OF EMERGENCY RELIEF, TRO, AND CRIMINAL REFERRALS

TO THE HONORABLE CHIEF JUDGE GREG STIVERS OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

> ***"Oh — well, that complicates things. I can't send [photos of the crime scene] to you unless you have a lawyer."***
>
> **—Officer Carmel of the LMPD 8th Division, May 20, 2025, 11:00PM** in response to being told that I am a pro se litigant

SECOND AFFIDAVIT OF DR. DANIEL J. FELDMAN IN SUPPORT OF SUPPLEMENTAL EMERGENCY MOTION, TRO, AND CRIMINAL REFERRALS

I, **Dr. Daniel J. Feldman**, declare under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am the Plaintiff in the above-captioned matter. This affidavit supplements my prior filings and supports my request for renewed emergency relief in connection with continued unlawful tampering, obstruction, and the denial of protective intervention.
2. At approximately **11:00 PM on May 20, 2025**, Officer **Carmel** of the **LMPD 8th Division** responded to an emergency call I placed from abroad, while recovering from a disabling medical condition. He visited my residence at **13347 Aragon Way, Unit 3303**, and confirmed that the **locks and door handles on my storage units had been forcibly removed**, the **doors left unsecured**, and my **federal court signage torn down**.

3. Officer Carmel **photographed the damage** but stated that because I am a pro se litigant, he would not release the photos to me. He said, "I can't send them to you unless you have a lawyer." When I explained that I am proceeding pro se, he responded, "Oh — well, that complicates things." He told me the photos could only be released to an attorney or by a judge's request, and that any such request should reference **LMPD case number 25-057-164**.
4. I am submitting herewith Exhibit H: four photographs taken by my family on the afternoon of **May 20, 2025 at approximately 2:42 PM**, prior to the police visit. These images show:
    - The **forcibly removed lock hardware**
    - **Exposed entry points** at the door and storage unit
    - **Torn federal signage**, with adhesive tape outlines remaining
    - A visible and ongoing **security threat to property under federal jurisdiction.**

    New door signs were posted with the second page as submitted in the May 20, 2025, filing, These were torn down before Officer Carmel arrived.

5. Officer Carmel also declined to investigate **Jason Frew**, a named Defendant who resides in the adjacent building and has previously admitted to entering my apartment and unplugging my security camera feed. I offered to remotely unlock the building so the officer could conduct a welfare or investigative check. He refused.

6. Ivy Management has failed to act. At **2:40 AM on May 21, 2025**, I left a detailed voicemail on their after-hours maintenance line, reporting the open and unsecured condition of the unit and the torn locks. Ivy's recorded message explicitly states that emergencies include "**a security threat such as a broken window, door frame, or door lock**," and instructs residents to press 4. No action has been taken. This is a direct breach of lease obligations and constitutes **constructive eviction**.
7. Plaintiff had previously posted signs on both the apartment and storage unit doors notifying that the property was under **federal jurisdiction pursuant to 28 U.S.C. § 1446(d)**, and citing **Case No. 3:25-CV-271-GNS**. These notices included explicit warnings that removal would constitute obstruction of justice and interference with federal process. These signs were removed.
8. I replaced them with **updated signs** stating that tampering would constitute **criminal trespass, obstruction, and interference with a federal proceeding**. These replacement signs were also **torn down**, specifically from the storage unit doors, and **after** the delivery of Plaintiff's emergency filings and supporting documents to all parties on **May 20, 2025**.
9. I respectfully request that the Court take judicial notice of this affidavit and all attached photographs, and that it issue:
    - An order enjoining any further eviction, lockout, or removal of property
    - A referral to the U.S. Marshals Service for protective enforcement
    - Declaratory and compensatory relief
    - Sanctions against Ivy and associated Defendants for deliberate obstruction

Verification and Conclusion

I, Dr. Daniel J. Feldman, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief. I respectfully request that the Court take judicial notice of the facts herein and issue emergency relief as described in my accompanying motions.

Executed on this 21st day of May, 2025.
Residence: Louisville, Kentucky

Daniel J. Feldman, Ph.D.
8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
Plaintiff, Pro Se

- **Exhibit H:** Photos of broken door handles and evidence left of removed signage, taken May 20, 2025, 2:42PM. New door signs were added after these photos were taken, yet were removed within hours


- 


Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE OF FILING: May 21, 2025

CHIEF JUDGE GREG N. STIVERS

SUPPLEMENTAL MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF SECOND SUPPLEMENTAL EMERGENCY MOTION

TO THE HONORABLE CHIEF JUDGE STIVERS OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

SUPPLEMENTAL MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF SECOND SUPPLEMENTAL EMERGENCY MOTION

I. Constructive Eviction and Lease-Based Emergency Duties

A constructive eviction occurs when a landlord, by action or inaction, deprives a tenant of the ability to safely or lawfully enjoy the premises. Under Kentucky law, "a tenant may abandon the premises if the landlord breaches a material term of the lease or fails to maintain premises in habitable condition." **KRS § 383.595**; see also **Taylor v. Bradley**, 39 N.Y. 129 (1873).

Here, the undisputed facts establish that:

- Ivy Management knowingly left Plaintiff's unit and storage unsecured after confirmed tampering
- Ivy failed to respond to Plaintiff's documented emergency call despite its own policy
- Ivy ignored police confirmation of a break-in
- Ivy removed federal notices after formal service of court filings

Plaintiff had posted signs on both the apartment and storage unit doors indicating that the property was under federal jurisdiction pursuant to **28 U.S.C. § 1446(d)**, and that removal of said notices would constitute obstruction and trespass. These notices were removed **not once, but twice**, including after revised signage was posted explicitly warning that removal would be

treated as a federal offense. The second removal occurred **after** Ivy and the Jefferson County Sheriff's Office were served with Plaintiff's emergency filings on **May 20, 2025**.

This deliberate inaction and defiance of service obligations constitute constructive eviction and materially support Plaintiff's request for declaratory and injunctive relief.

II. Equal Protection and Access-to-Court Violations

The Fourteenth Amendment guarantees equal protection and meaningful access to courts regardless of representation. See **M.L.B. v. S.L.J.**, 519 U.S. 102 (1996); **Bounds v. Smith**, 430 U.S. 817 (1977).

Here, LMPD Officer Carmel photographed crime scene evidence but refused to release the photos to Plaintiff because he was pro se. The officer stated he would only release them to retained counsel or a judge. He also refused to investigate Defendant Jason Frew, despite Plaintiff offering immediate remote access. This disparate treatment—based solely on Plaintiff's lack of counsel—violates the Equal Protection Clause and materially supports removal under **28 U.S.C. § 1443(1)**.

This pattern is further evidenced by the destruction of court signage that Plaintiff was forced to post himself due to a lack of enforcement. Despite warning that tampering with these federal notices would constitute criminal trespass and obstruction, the signs were removed—**twice**—including after formal service and updated legal warnings. These acts show targeted denial of court protection for an unrepresented, disabled litigant.

III. Compensatory and Punitive Relief under ADA and FHA

Plaintiff is entitled to compensatory and punitive relief under:

- **42 U.S.C. § 12133** (ADA Title II – enforced via § 794a)
- **42 U.S.C. § 3613(c)** (Fair Housing Act – damages and attorney's fees authorized)

Although proceeding pro se, Plaintiff is permitted to recover:

- Verified unreimbursed expenses
- Emotional and medical harm
- Daily legal and communication costs
- Injuries exacerbated by Ivy's retaliatory and discriminatory treatment

These claims are supported by multiple verified affidavits, exhibits, and public law enforcement records.

IV. Declaratory Relief

Under **28 U.S.C. § 2201**, a court may issue declaratory relief where a live controversy exists. Here, Plaintiff seeks a declaration confirming his lawful possession and suspending any attempted eviction or property interference by Defendants, Ivy staff, or law enforcement until the Court rules.

V. Sanctions and Inherent Authority

Federal courts may sanction parties under **Rule 11** and their inherent authority. See **Chambers v. NASCO, Inc.**, 501 U.S. 32 (1991). Defendants here:

- Lied to the Court about Plaintiff's payment attempts
- Removed posted federal notices after formal service
- Refused emergency repairs
- Created a daily emergency burden Plaintiff must coordinate from abroad and from a hospital

This record justifies monetary sanctions, protective orders, and urgent injunctive relief.

Respectfully submitted,

Daniel J. Feldman, Ph.D. Date: May 21, 2025

8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
Plaintiff, Pro Se

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 21, 2025

CHIEF JUDGE GREG N. STIVERS

NOTICE OF FILING

SECOND SUPPLEMENTAL

EMERGENCY MOTION AND

SUPPORTING DOCUMENTS

TO THE HONORABLE CHIEF JUDGE STIVERS OF THE UNITED STATES DICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

NOTICE OF FILING:

SECOND SUPPLEMENTAL EMERGENCY MATERIALS

Plaintiff hereby gives notice of filing the following supplemental documents in further support of his pending emergency motions, originally filed on May 12, 2025, and supplemented on May 16 and May 20, 2025. These documents are submitted in connection with Plaintiff's request for temporary restraining orders, protective relief, criminal referrals, and enforcement of federal jurisdiction under 28 U.S.C. §§ 1446(d), 1443(1), and related statutes:

1. **Second Supplemental Emergency Motion to Enforce Federal Jurisdiction, Block Unlawful Eviction, and Refer Criminal Conduct** (May 21, 2025)
2. **Supplemental Memorandum of Points and Authorities in Support of Second Emergency Motion**
3. **Second Affidavit of Dr. Daniel J. Feldman in Support of Emergency Relief, TRO, and Criminal Referrals**
4. **Exhibit H – Photographic Evidence of Lock Tampering and Removed Signage (taken May 20, 2025)**
5. **Proof of Service for all filings above**
6. **Joint Email to Jefferson County Sheriff's Office Eviction Unit, the US Marshall's Office, the Ivy Management, Defendants and/or Counsel, selected Court Officials, and friends of the Court**

These documents have been submitted to the Court, served on opposing parties, and concurrently provided to the Jefferson County Sheriff's Office, U.S. Marshals Service, and Ivy Management in accordance with Plaintiff's federal notice and protective request.

Respectfully submitted,

Filed: May 21, 2025

Daniel J. Feldman, Ph.D.
Pro Se
8809 Denington Drive
Louisville, KY 40222
danieljfeldmanphd@gmail.com
(307) 699-3223
Dated: **May 20, 2025**

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-00396

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 21, 2025

CHIEF JUDGE GREG N. STIVERS

PROOF OF SERVICE FOR

SECOND SUPPLEMENTAL MOTION

FOR EMERGENCY MOTION AND

SUPPORTING DOCUMENTS

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF KENTUCKY:;30AM

PROOF OF SERVICE

I, Daniel J. Feldman, declare as follows:

1. I am the Plaintiff in this matter, acting pro se.
2. On **May 21, 2025**, I served the following documents on all parties and relevant agencies:

- **Second Supplemental Emergency Motion to Enforce Federal Jurisdiction and Refer Criminal Conduct**
- **Supplemental Memorandum of Points and Authorities**
- **Second Affidavit of Dr. Daniel J. Feldman**
- **Exhibit H** (Photographs of Lock Tampering and Removed Signage – dated May 20, 2025, 2:42 PM)
- **Notice of Filing**
- **Proof of Service**

3. I served these documents via email and electronic PDF attachments to the following recipients:

- **Defense Counsel**:
    - John R. Benz, Esq. – jbenz@rawnfirm.com
    - Michelle Rawn, Esq. – mrawn@rawnfirm.com

- **Ivy Management / Highmark Residential**:
    - Christian Blake Heath – TheIvyACD@highmarkres.com
    - Mary Beth Woodard – mwoodard@highmarkres.com
    - General Ivy Management Line – theivy@elmingtonpm.com
- **Jefferson County Sheriff's Office – Civil Division**:
    - mberghaus@jcsoky.org
- **U.S. Marshals Service – Western District of Kentucky**:
    - wdky-info@usmarshals.gov
    - usakyw-civilrights@usdoj.gov (cc)
- **Court Administration** (for record clarity and jurisdictional conflict alert):
    - brionayoung@kycourts.net
    - ramoneblair@kycourts.net
    - grace.walsh@louisvilleky.gov
    - lesliedavis@kycourts.net
    - ashleyvickery@kycourts.net
    - jeffcodistrictcourtadmin@kycourts.net

4. Service was also provided via the Court's ECF system (where applicable) and physical service to Ivy's after-hours emergency maintenance line via recorded voicemail on May 21, 2025, at 2:40 AM.
5. None of the email transmissions have been returned as undelivered.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on: May 20, 2025
Location: Louisville, Kentucky

Daniel J. Feldman, Ph.D. Date: May 21, 2025

8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com

+1 (307) 699-3223
Plaintiff, Pro Se

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 22, 2025

CHIEF JUDGE GREG N. STIVERS

MOTION FOR CRIMINAL REFERRAL, ENTRY OF PROTECTIVE ORDERS, AND EMERGENCY JUDICIAL RELIEF BASED ON HATE-BASED RETALIATION AND OBSTRUCTION

TO THE HONORABLE CHIEF JUDGE STIVERS OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

MOTION FOR CRIMINAL REFERRAL, ENTRY OF PROTECTIVE ORDERS, AND EMERGENCY JUDICIAL RELIEF BASED ON HATE-BASED RETALIATION AND OBSTRUCTION

Plaintiff, Dr. Daniel J. Feldman, appearing pro se, respectfully moves this Court for the following emergency relief:

1. Referral of named individuals for criminal prosecution under federal and state law
2. Entry of protective orders against further enforcement, contact, or retaliation
3. Judicial declaration recognizing the unlawful, obstructive, and retaliatory nature of Defendants' conduct

This Motion is supported by the attached **Memorandum of Points and Authorities**, Plaintiff's sworn affidavits, previously submitted evidence, and newly attached Exhibits **I, J, and K**. These materials document:

- A knowingly false police report filed by Defendant Ashley Lemons
- Collusion by legal counsel to carry out an eviction during a federal stay
- Physical exclusion of Plaintiff's ADA-authorized representatives
- Hate-motivated retaliation and obstruction spanning over three years
- Irreversible medical injury and deprivation of housing, medical access, and due process

This conduct is not merely civil in nature — **it is criminal under controlling law and precedent.** Plaintiff has filed a separate memorandum detailing the statutory basis, factual record, and binding case law that compels immediate judicial referral and protection.

EXHIBITS ATTACHED TO THIS MOTION:

- **Exhibit I** – Placeholder and Unsworn Declaration of Jo Anne Feldman (provisionally submitted; to be supplemented and signed)
- **Exhibit J** – Plaintiff's Email Disproving Firearm Threat (May 21, 2025, 10:16 AM)
- **Exhibit K** – Letter to HUD (Grace Walsh) notifying of escalation in federal complaint

Note: **Exhibit H**, consisting of photographs of signage destruction and lock tampering, was previously filed on **May 21, 2025**, as part of the **Second Supplemental Emergency Motion to Enforce Federal Jurisdiction, Prevent Unlawful Eviction, and Refer Criminal Conduct**. It is incorporated by reference herein.

REQUESTED RELIEF:

Plaintiff respectfully requests that this Court:

1. Issue an **Order to Show Cause** requiring Defendants Ashley Lemons and John Benz to explain why they should not be criminally referred

2. Refer the above-named individuals to the **U.S. Attorney's Office** and **Commonwealth Attorney** for felony charges under:
    - KRS § 519.040 (False Reporting)
    - 18 U.S.C. § 1509 (Obstruction)
    - 18 U.S.C. § 241 (Conspiracy Against Rights)
    - 18 U.S.C. § 249 / KRS § 532.031 (Hate Crime Enhancement)
    - 42 U.S.C. §§ 12203, 3617 (ADA & FHA Retaliation)
3. Enter a **Protective Order** staying all further eviction-related activity until the Court rules
4. Enter any **additional relief** this Court deems just and necessary, including emergency injunctive relief and scheduling of a hearing

A [Proposed] Order is attached for the Court's consideration.

Respectfully submitted,

Daniel J. Feldman, Ph.D.
Pro Se
8809 Denington Drive
Louisville, KY 40222
danieljfeldmanphd@gmail.com
(307) 699-3223
Dated: **May 21, 2025**

- **Exhibit I** – Placeholder and Unsworn Declaration of Jo Anne Feldman (provisionally submitted; to be supplemented and signed)

STATEMENT OF JO ANNE FELDMAN, MAY 21, 2025

On Friday, May 16, 2025, about 5:00 pm, I checked lockers #3 and #4. Items in #4 were missing sometime from when the locks were changed, I believe in February, and May 16. Either The Ivy personnel took the items or unauthorized person(s) had been given access by The Ivy personnel. There were approximately $1600 in items missing.

About 5:00 pm on Monday, May 19, when I was in the parking lot, I stopped at the storage units #3 and #4. Everything was on the units were in place. The notice had been removed from the apartment door.

When I returned on Tuesday, May 20, about 1:40 pm, I noticed the Federal notices had been removed and the locks on the units had been hammered off. I took pictures. Robert from the apartment complex next door was walking by. He said when he walked by at 7:00 am, the locks had been removed. So, between 5:00 pm on Monday and Tuesday at 7:00 am the locks had been removed. The notices were still up. When he returned at 10:00 am, Robert said the notices had been removed. I put up new notices. I checked the doors of the units and #3 was open with no way to secure it; #4 somehow had been locked from the inside, but the locking unit wasn't there to open the door.

On May 21, 2025, I arrived at The Ivy Apartments at approximately 7:15 am to replace the missing Federal notices on the doors of storage units #3 and #4, and LMPD officers reported they were missing on May 20, 2025 at approximately 11:00 pm. The locks had been what appeared to be hammered off. A police report was made, #25057164. Unit 3 had no locking device. Unit 4 had the locking device removed but somehow had been locked from the inside.

I went to apartment #3303 leased to my son, Daniel Feldman. He had given written permission to The Ivy previously for me to have access. They had also let me copy the keys when they had changed the locks in about February, so they knew I had a copy. I was there to wait for the Sheriff's Department if they came to remove all of the items from the apartment. A Federal notice was in place that stayed Judge Langford's decision on May 13. I was gathering a few items and Daniel's friend Jerry came to help me.

About 11:00 am there was a knock on the door. It was LMPD Officer Padgett saying that the Sheriff's Department was on the way to serve the eviction and move all items to the street. He was very kind and tried to explain to me what was happening. Office Padgett also stated that I was trespassing on property that was not mine, but my son's. He said that if the management was consulted, there could probably be a two-day delay, but Daniel would have to talk with Ashley about it. In a few minutes, Ashley was at the door with a maintenance man. Jerry came

out in the hallway with me. Ashley had John Benz, The Ivy's eviction attorney, on the phone. She was letting him talk mostly. They said that the Sheriff was on the way and would be there soon to set everything out. I tried to explain that the judgment from Judge Langford had never been received. (I think I said that!) I tried to explain that the case was now in Federal Court. Mr. Benz insisted that it didn't matter and that the eviction would go on. Ashley, Mr. Benz on the phone, and the maintenance man quickly departed. Officer Padgett said that he would give Jerry and I thirty minutes to leave the premises. We started gathering a few things. When the officer came back, he was even helpful in getting things down to Jerry's truck. Jerry left, and the officer talked with me for a few minutes. Basically, I could not be anywhere on the premises. If I wanted to wait for the Sheriff, I would have to sit in my car in an off-site parking lot and call the Sheriff to come pick me up to oversee the eviction. He gave me the phone number to call the Sheriff's Department. He waited while I got in my car, and watched as I left.

When I got to the Galen's parking lot facing The Ivy, I had a call from Daniel, and he gave me the phone number of Sgt. Perry with the Sheriff's Department. I called Sgt. Perry, whom I had talked with before. He was very helpful. He said he was waiting for the decision of Federal Judge Stivers. If he decided in Daniel's favor, the eviction would be stayed. If not, he would call me personally to give me two-days-notice to get a mover. I explained to him how all of this got started with The Ivy refusing a notice of terminating the lease. Renewed the lease with a higher monthly payment. Then demanded payment without giving an exact amount or how to pay. There were wrongful charges that had never been addressed. There were at least four requests for the amount of the final rent due with no response, and how to pay the rent since the automatic payment could no longer be used. Sgt. Perry told me to go home, and assured me that he would call me to let me know the outcome. I left for home.

Signed:

Jo Anne Feldman
May 21, 2025
8809 Denington Drive
Louisville, KY 40222
502-429-3567

- **Exhibit J** – Plaintiff's Email Disproving Firearm Threat (May 21, 2025, 10:16 AM)

Gmail **Daniel Feldman <danieljfeldmanphd@gmail.com>**

Supplemental Emergency Filing – Feldman v. Ivy – Federal Jurisdiction Enforcement and Criminal Referral (3:25-CV-271-GNS)

Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> Wed, May 21, 2025 at 11:29 AM
To: Michelle Rawn <michelle@rawnlawfirm.com>, John Benz <john@rawnlawfirm.com>, "Young, Briona" <brionayoung@kycourts.net>, "Blair, Ramone" <RamoneBlair@kycourts.net>, jayson Frew <jayson.frew@gmail.com>, Mary Beth Woodard <mwoodard@highmarkres.com>, "Davis, Leslie" <lesliedavis@kycourts.net>, "Vickery, Ashley" <AshleyVickery@kycourts.net>, jeffcodistrictcourtadmin@kycourts.net, mberghaus@jcsoky.org, wdky-info@usmarshals.gov, "Walsh, Grace" <Grace.Walsh@louisvilleky.gov>
Cc: Jo Anne Feldman <jojofeld@bellsouth.net>

To all parties previously served:

Please be advised that two of the previously filed and served documents in the above-captioned matter were inadvertently submitted without signature. Corrected and signed copies are attached and have been uploaded to the official record in the U.S. District Court for the Western District of Kentucky as part of the ongoing case:

Feldman v. Ivy, Case No. 3:25-CV-271-GNS

I apologize for any inconvenience this may have caused.

That said, I am again reiterating the need for immediate acknowledgment and action from all recipients of this message.

*As of this morning, I have received **no formal confirmation from the Sheriff's Office, Ivy Management, or the U.S. Marshals Service** in response to:*

- *Multiple emergency filings*
- *Direct emails*
- *Recorded voicemails*
- *In-person inquiries*
- *Verified photographic evidence of tampering and lock removal*

*Due to the **complete lack of communication**, and because Ivy Management **removed the locks and signage** unlawfully and prior to any lawful writ, I have hired **licensed off-duty police officers** to secure and protect the property at **13347 Aragon Way, Unit 3303**, and the associated storage units.*

These officers are present now to:

- *Prevent criminal intrusion or further tampering*
- *Lawfully protect property under my current and continuous legal possession*
- *Document any actions taken by Ivy or law enforcement that conflict with federal jurisdiction*

*As stated in my filings and affidavits, **there is no remand** from the federal court, and **no writ of possession overrides my lawful occupancy** at this time.*

I am respectfully putting all parties on notice that:

- ***Immediate relief will be sought in federal court*** *for the cost of the hired officers and all related damages*
- ***Ivy Management will be held liable*** *for property stolen by* ***Jason Frew of Apt. 417****, whose access and conduct were known and preventable*
- *Ivy will be named as a* ***complicit party in any criminal or civil violations*** *that arise from this breach of legal process and tenant protections*

I remain open to communication and resolution, but I will continue to defend my rights as protected under federal law — including the ***Second Amendment****, as I am lawfully entitled to protect my* ***life, liberty, and property****. Any conflict arising from the presence of lawful security personnel has been entirely preventable. The* ***failure of law enforcement to respond*** *and the* ***criminal actions of Ivy Management*** *— including unauthorized entry, removal of locks, and destruction of court-posted notices — are solely responsible for creating this potential armed crisis. This situation has now placed* ***other tenants, employees, and members of my family*** *at unnecessary risk, and the liability for that risk rests with those who failed to intervene or communicate after multiple formal warnings.*

Furthermore, if ***Jason Frew*** *is seen* ***anywhere on the premises*** *— including near* ***Apartment 3303****, the* ***storage units****, or* ***any property unlawfully removed by the Sheriff's Office*** *— I demand that he be* ***immediately arrested*** *for his role in the prior theft of multiple items from both the apartment and the storage unit. These thefts have been* ***documented in his own written communications, observable on security camera footage*** *and confirmed by the presence of his* ***Gmail account and password activity on my stolen iPad****, which was unlawfully taken from my home. That device contains direct location tracking evidence placing Mr. Frew at the scene of the crimes and within the property during the period of his unauthorized access.*

Respectfully,
Dr. Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
May 21, 2025

On Wed, May 21, 2025 at 5:53 AM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

JOINT SERVICE COVER LETTER AND NOTICE OF EMERGENCY FILINGS

TO: **U.S. Marshals Service,**
Jefferson County Sheriff's Office, and
Ivy Property Management

RE: Ongoing Criminal Conduct, Constructive Eviction, and Enforcement of Void State Order
Filed in: Feldman v. Ivy, Case No. 3:25-CV-271-GNS (W.D. Ky.)
Date: May 21, 2025

This letter serves as formal notice that **Ivy Management has already taken extrajudicial action** to remove court-posted federal signage, deny access to secured storage units, and refuse emergency repairs — all before any lawful eviction could take place. These acts occurred **inside a secure apartment complex**, where access is limited to **residents and Ivy employees only**.
Ivy's **willful removal of federal court notices**, after being **served with judicial documents** warning that such removal would constitute obstruction and trespass, is not speculative. It is **confirmed**. There is no lawful explanation for these actions, and no other party could have executed them without knowledge, access, and intent.

Furthermore, **Ivy Management has not responded** to a direct and documented after-hours emergency maintenance request left on their voicemail system at **2:40 AM on May 21, 2025**, referencing urgent security threats and Ivy's own contractual obligation to provide lock repairs. **No repair has been made. No contact has been returned. The doors remain unsecured.**

The **Jefferson County Sheriff's Office and U.S. Marshals Service have also failed to confirm receipt** of any of Plaintiff's service emails, court filings, or formal jurisdictional warnings. Despite over **a week of continuous notice** and three rounds of formal emergency filings, no acknowledgment, guidance, or assurance of enforcement protocol has been provided by either agency.

This inaction by the Sheriff and Marshals has **invited a jurisdictional conflict**. It has **left federal court orders unenforced**, **forced Plaintiff to self-coordinate law enforcement**, and directly **enabled Ivy's unlawful, extrajudicial retaliation** in defiance of this Court's active jurisdiction.

NOTICE OF FILINGS

The following emergency filings were submitted on **May 21, 2025**, to the U.S. District Court for the Western District of Kentucky and are hereby served on the undersigned parties:

1. **Second Supplemental Emergency Motion to Enforce Federal Jurisdiction, Block Unlawful Eviction, and Refer Criminal Conduct**
2. **Supplemental Memorandum of Points and Authorities**
3. **Second Affidavit of Dr. Daniel J. Feldman**
4. **Exhibit H – Photographs of Lock Tampering and Removed Signage (taken May 20, 2025)**
5. **Notice of Filing**
6. **Proof of Service**

TO THE SHERIFF'S OFFICE:

You are now on **final notice** that enforcement of the May 13, 2025 eviction order is a violation of **28 U.S.C. § 1446(d)**. The order is **void**, having been entered after removal. Any effort to proceed will constitute:

- **Contempt of federal jurisdiction**
- **Civil rights violations under 42 U.S.C. § 1983**
- **Personal liability** for participating in the enforcement of an extrajudicial act

The building is secure. Only Ivy staff or residents could have carried out the break-ins and signage removal. Ivy has acted **before your office arrived**, which itself constitutes a **self-help eviction** under

Kentucky law — specifically forbidden under **KRS § 383.195** and **Baker v. Rice**, 671 S.W.2d 241 (Ky. Ct. App. 1984).

TO THE U.S. MARSHALS SERVICE:

You are respectfully requested to intervene or notify the Court of your authority under **28 U.S.C. § 566(c)** to protect federal proceedings. This property is the subject of an active emergency filing. Your continued silence while extrajudicial acts occur on federally protected property is functionally enabling unlawful state enforcement.

TO IVY MANAGEMENT:

You are on formal notice that you have:

- Removed federal signage from secured areas **twice**, after being warned of criminal liability
- Refused to respond to an emergency maintenance request for unsecured doors
- Allowed property interference and lock removal in advance of any lawful enforcement
- Enacted a **constructive eviction** and triggered **liability for retaliation and due process violations** under federal law

These acts were taken after receiving full notice of this Court's jurisdiction and Plaintiff's emergency filings.

FINAL DEMAND:

If any further enforcement action is taken **today** or thereafter, it will be treated as **criminal interference with a federal proceeding**, and Plaintiff will seek the **maximum civil and criminal penalties available under law**, including emergency contempt, referral to the U.S. Attorney, and direct liability under § 1983 and related statutes.

You are each **demanded to pause** all enforcement actions and await a ruling from **Chief Judge Stivers**.

Respectfully submitted,

Dr. Daniel J. Feldman, Ph.D.
Pro Se Plaintiff

Email: danieljfeldmanphd@gmail.com
Phone: +1 (307) 699-3223
May 21, 2025

On Tue, May 20, 2025 at 6:29 PM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

TO ALL PARTIES, SHERIFF'S ENFORCEMENT OFFICERS, U.S. MARSHALS, AND COUNSEL:

This email constitutes final formal notice that the **Jefferson County Sheriff's Office will be in violation of federal law if it executes any writ of possession on May 21, 2025**, relating to Jefferson District Court eviction order of May 13, 2025, which is **void ab initio under 28 U.S.C. § 1446(d)**.

This matter was removed to the **U.S. District Court for the Western District of Kentucky on May 12, 2025**, under Case No. **3:25-CV-271-GNS**, and **federal jurisdiction is now exclusive**.

You were served with notice of federal removal and stay as early as **May 16**. You are not permitted to act under a state court writ issued after that removal. **Federal law prohibits it.**

CRIMINAL AND CIVIL LIABILITY

Any enforcement action taken tomorrow, after five days of actual notice, will constitute:

- **Violation of 28 U.S.C. § 1446(d)**
- **Deprivation of rights under color of law** (42 U.S.C. § 1983)
- **Criminal obstruction of federal proceedings** (18 U.S.C. § 1512)
- **Conspiracy against rights** (18 U.S.C. § 241)
- **Aiding and abetting theft of federally protected property**
- **Retaliation under the Fair Housing Act** (42 U.S.C. § 3617)

You are further placed on notice that:

- The **federal enforcement stay was physically posted on the premises** and was **unlawfully removed**. This constitutes **obstruction**, **tampering with federal process**, and **criminal trespass**, and it exposes any enforcement agents, landlords, or their staff to **individual liability**.
- **Jason Frew**, a named defendant, previously entered the residence unlawfully, unplugged a security camera, and removed property including an iPad and private materials.
  This was reported in real time to LMPD and the Sheriff's Office, both of whom refused to respond.
  Now, items from Plaintiff's **locked storage unit have gone missing** without any sign of forced entry — establishing internal **collusion or key-based access**.
- **Christian Blake Heath**, Ivy employee, submitted **perjured testimony** under oath regarding rent communications. Three email records dated **March 18, 22, and 28** are already on file disproving his statements.
  Attorney **John Benz** then knowingly cited that false testimony to obtain the unlawful writ.
  This is **subornation of perjury** and **fraud on the court**.
- **Judge Sarah Clay** enabled these violations by:
  - Blocking emergency filings for a TRO that was first submitted on **March 31, 2025**, **before the eviction was even filed**;
  - Ignoring ADA accommodation requests;
  - Proceeding in state court *after federal removal was filed and docketed*;
  - Allowing coordinated submission of false documents while denying Plaintiff access to the court.
- This conduct is not procedural error. It is **sustained criminal complicity, systemic misconduct**, and **civil rights retaliation**.

YOU ARE HEREBY PUT ON FINAL NOTICE:

If the eviction scheduled for May 21 proceeds:

- It will be treated as **willful federal interference**;
- **You will be named in amended filings** for contempt, conspiracy, and obstruction;
- Immediate **criminal referrals will be submitted to the U.S. Attorney and DOJ Civil Rights Division**;
- **Public media disclosures will follow**, and this conduct will be elevated to national advocacy groups already tracking this case.

ENCLOSED DOCUMENTS

Attached are all filings submitted to the U.S. District Court on **May 20, 2025**, including:

- **Supplemental Emergency Motion to Enforce Jurisdiction**
- **Memo of Points and Authorities**
- **Verified Affidavit and Exhibits (F & G)**
- **Proposed Orders for TRO, Contempt, and Criminal Referral**
- **Proof of Service and Notice of Filing**

These are now part of the federal record in **Case No. 3:25-CV-271-GNS**.

PRESS RELEASES (appended below this message)

These public statements outline the broader national implications of this case, including:

- ADA violations;
- Abuse of unrepresented and disabled tenants;
- Harassment by corporate landlords;
- Conspiracy and procedural fraud in the eviction system.

LOUISVILLE COURTS ENABLE PREDATORY EVICTION SCHEME TARGETING DISABLED TENANTS

Court insiders reveal Jefferson County judges collaborate with landlords who have an “F” rating from the Better Business Bureau to abuse vulnerable renters

Louisville, KY — April 18, 2025

THE FOUR-STEP SCHEME
1. Block tenants from legally ending their lease.
2. Refuse tenants' rent payments to fabricate claims of “nonpayment.”
3. File eviction lawsuits using false nonpayment allegations.
4. Demand tenants pay rent for a full-year lease that tenants never agreed to.

Disabled Louisville resident Dr. Daniel J. Feldman has documented more than three years of targeted harassment and illegal eviction attempts by management at **The Ivy Apartments** (managed by **Highmark Residential**) and their attorneys at the **Rawn Law Firm**. Despite submitting extensive verified evidence of retaliation, harassment and resulting medical harm including loss of vision, and deliberate obstruction, **Jefferson Circuit Court Judge Sarah Clay** has systematically refused hearings, denied required ADA accommodations, and blocked legitimate filings—enabling these abuses to persist unchecked.

Court employees, speaking anonymously due to fear of retaliation, confirmed that the Rawn Law Firm frequently employs this predatory eviction scheme against vulnerable tenants, relying on active cooperation from Jefferson County courts. Court officials consistently obstruct tenants' filings, deny their requests for fair hearings, and ignore legally mandated disability accommodations.

The Ivy Apartments, managed by **Highmark Residential** since spring 2022, currently holds an **“F” rating** from the **Better Business Bureau**, reflecting over **120 documented tenant complaints** involving harassment, unfair eviction practices, financial abuse, and unsafe living conditions.

Despite extensive evidence presented by Dr. Feldman—including documentation of severe medical harm from management's interference with medications—the court refused to review his filings, dismissed his case without holding a hearing, and openly ignored his ADA-required requests for remote participation.

Dr. Feldman said,"I am awestruck by Judge Clay's complete disregard for vulnerable people who come to her court with disability requests, who are clearly being abused, and who explicitly request protective restraining orders. Instead of offering justice or due process, she denies tenants a fair hearing and throws out all their evidence without even looking at it. This is shocking, disgraceful, and an insult to the people of Jefferson County."

Dr. Feldman has actively sought federal intervention, and the Human Rights Commission of Louisville (HRC) and Housing and Urban Development (HUD) have opened formal investigations into these matters. Dr. Feldman, with the help of these advocacies, demands accountability from both the predatory landlords and the court system enabling their abuse.

Monday, April 21, Is the last day for Dr. Feldman to file for damages before they are ineligible, and Judge Clay has unlawfully blocked his ability to file anything with the court. Immediate intervention is needed from court officers or from civil rights groups by the end of the day on April 21.

ABOUT DR. DANIEL FELDMAN

Dr. Feldman is a disabled clinical neuropsychologist and professionally trained massage therapist. He is a federal whistleblower who successfully exposed high-level government corruption, prevailing at the Second Circuit Court of Appeals in 2012. His courageous efforts recovered millions of taxpayer dollars stolen by corrupt practices, at significant personal cost and without personal gain. Dr. Feldman is currently organizing a hunger strike beginning July 4th to protest corruption in court proceedings, specifically targeting systemic abuses against tenants who face harassment from landlords and receive no protection from the courts. His activism highlights cases of severe harm, including permanent personal injuries—most recently, his loss of eyesight due to sustained harassment by management at The Ivy Apartments.

MEDIA CONTACT

Daniel J. Feldman, Ph.D.
danieljfeldmanphd@gmail.com

(307) 699-3223 or (435) 612-0242

REFERENCES AND CITATIONS

1. **BBB Record – The Ivy Apartments (Louisville, KY):**
   The Ivy Apartments maintain an "F" rating at the Better Business Bureau, reflecting 120+ tenant complaints, often involving harassment, unsafe conditions, and disputes over lease terms.
   - **Link**: BBB.org The Ivy Apartments
2. **Highmark Residential Rent-Price Collusion:**
   Highmark Residential is a named defendant in a multi-state antitrust lawsuit alleging that it conspired with other landlords to inflate rent prices using RealPage's revenue management software.
   - **Link**: Bloomberg Law on Price-Fixing Lawsuit
3. **Investigation into Unlawful Eviction-Related Fees:**
   A North Carolina–based firm investigated Highmark Residential for allegedly imposing illegal fees during eviction processes, adding hundreds of dollars in extra charges for tenants already behind on rent.

- **Link**: Carolina Law Firm Investigation

4. **Rawn Law Firm – Specialization in Evictions:**
   The Rawn Law Firm in Louisville publicly markets eviction and rent-collection services, emphasizing swift landlord-friendly outcomes.
   - **Link**: RawnLawFirm.com
5. **Examples of Jefferson County Court Bias in Evictions:**
   Local investigations uncovered an "assembly line" eviction process that grants landlords immediate judgments, often without a hearing or with only seconds of review. Tenants typically lack representation or remote hearing accommodations.
   - **Link**: Kentucky Equal Justice Center (eviction reports)
   - **Link**: WLKY Investigative Coverage

FOR IMMEDIATE RELEASE

May 21, 2025

What Happens When You're Sued by a Landlord

With a Lawyer — and You Don't Have One?

You lose. Not just the case. But your rights. Your voice. Your home.

And the court system is built to make sure of it — with different rules, different access, and different expectations depending on whether you're represented or not.

ONE DOCTOR.

ONE HOSPITAL BED.

ONE LITTLE OLD LADY ON A WALKER.

ONE HUGE FEDERAL LAWSUIT.

Dr. Daniel J. Feldman, a clinical neuropsychologist, was **hospitalized for a stroke on May 6, 2025, and remained in the hospital until May 15**. Despite the court being informed of his condition, **Judge Lisa Langford of Jefferson District Court held an eviction hearing on May 13**, while Dr. Feldman was still in a hospital bed.

Now, Dr. Feldman is filing a **nationwide federal civil rights lawsuit** asking the court to **pause or stay all cases in every jurisdiction where pro se litigants — or defendants without lawyers — are treated differently** than represented parties.

Federal Removal Was Filed.

The Judge Knew.

The Sheriff Knew.

They're Proceeding Anyway.

Dr. Feldman removed his case to **U.S. District Court on May 12, 2025**. Under federal law — **28 U.S.C. § 1446(d)** — all state court proceedings and enforcement actions are **automatically stayed** upon removal. The court, the sheriff, and the landlord were all notified in writing.

Despite this, the **Jefferson County Sheriff's Office plans to execute the eviction today**, May 21, 2025 — unlawfully.

The federal court notices posted on Dr. Feldman's door were torn down.
The sheriff's office was informed of the federal stay **more than five days ago.**
They acknowledged receipt — and are choosing to proceed anyway.

When Dr. Feldman contacted the **U.S. Marshal's Office**, he was told that they "would contact Judge Stivers." He called **Judge Stivers' chambers** and was told the judge had reviewed the emergency filings and was "planning to rule." That was more than 24 hours ago. As of 5:30 AM today, no order has been issued. No protection is in place.

The Landlord Has an F Rating. The Courts Don't Care.

The eviction is being carried out by **Highmark Residential**, parent company of The Ivy Apartments — a corporate landlord with an **F rating from the Better Business Bureau**, and named in the **federal RICO rent price-fixing lawsuit** against RealPage.

These are the parties that courts protect.
These are the people Judge Langford sides with.

And this is what eviction in America looks like in 2025.

The System Is Rigged — And This Lawsuit Aims to Freeze It

Dr. Feldman's lawsuit is now national in scope. It demands:

- **A stay of all court proceedings** where pro se and represented parties are treated differently
- **Accountability for sheriff's departments** who knowingly enforce voided state orders
- **Scrutiny of judges who mock federal law** while evicting disabled, hospitalized Americans
- **National review of court clerks and practices** that give attorneys informal access while denying basic filing rights to unrepresented people

---

"This is why I cannot accept representation," Dr. Feldman says.
"The only way I can prove that justice doesn't exist for people like me is to try to win without a lawyer. Because if I can't win this — when the law and the filings and the facts are this clear — then no one can. And if that's true, then the 14th Amendment isn't real. It never has been."

Contact for Interviews or Legal Action

Dr. Daniel J. Feldman, Ph.D.
danieljfeldmanphd@gmail.com
+1 (307) 699-3223 (Uruguay)

Jo Anne Feldman (Authorized Agent)
jojofeld@bellsouth.net
+1 (502) 429-3567 (home) | +1 (502) 797-2506 (cell)

Respectfully submitted,
Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
Email: danieljfeldmanphd@gmail.com
Phone: (307) 699-3223
Address: 8809 Denington Drive, Louisville, KY 40222

---------- Forwarded message ---------
From: **Daniel J. Feldman, Ph.D.** <danieljfeldmanphd@gmail.com>
Date: Mon, May 19, 2025 at 6:03 AM
Subject: Filing Notice – Feldman v. Ivy, 3:25-CV-271-GNS
To: Michelle Rawn <michelle@rawnlawfirm.com>, John Benz <john@rawnlawfirm.com>, Young, Briona <brionayoung@kycourts.net>, Blair, Ramone <RamoneBlair@kycourts.net>, jayson Frew <jayson.frew@gmail.com>, Mary Beth Woodard <mwoodard@highmarkres.com>, Garner, Sidney <Sidney.Garner@louisvilleky.gov>, Davis, Leslie <lesliedavis@kycourts.net>, Vickery, Ashley <AshleyVickery@kycourts.net>, <jeffcodistrictcourtadmin@kycourts.net>, <kywdintake@kywd.uscourts.gov>, <KYWDsmb_ProSeFilings@kywd.uscourts.gov>
Cc: Jo Anne Feldman <jojofeld@bellsouth.net>

Subject: Filing Notice – Feldman v. Ivy, 3:25-CV-271-GNS

Dear Counsel, Defendants and other Stewards of the Court.

Please find attached the following documents filed today, May 19, 2025, in the U.S. District Court for the Western District of Kentucky:

- Memorandum of Points and Authorities in Support of Federal Jurisdiction and Rebuttal to Expected Motion to Remand
- Exhibits A-1 through E
- Notice of Filing
- Certificate of Service

I have repeated service of the Emergent Packet sent this week:

EMERGENCY MOTION TO ENFORCE FEDERAL REMOVAL AND ENJOIN UNLAWFUL STATE ENFORCEMENT

Previously filed documents (Exhibits A–D) are incorporated by reference and were not reattached. If you require a duplicate copy of any previously served record, I will provide it upon request.

Below is the Press Release, widely circulated, posted on the web across national jurisdictions:

FOR IMMEDIATE RELEASE
May 17, 2025

What Happens When You’re Sued by a Landlord With a Lawyer — and You Don’t Have One?

You lose. Not just the case. But your rights. Your voice. Your home.

And the court system is built to make sure of it — with different rules, different access, and different expectations depending on whether you're represented or not.

ONE DOCTOR.

ONE HOSPITAL BED.

ONE LITTLE OLD LADY ON A WALKER.

ONE HUGE FEDERAL LAWSUIT.

Dr. Daniel J. Feldman, a clinical neuropsychologist, was **hospitalized for a stroke on May 6, 2025, and remained in the hospital until May 15**. Despite the court being informed of his condition, **Judge Lisa Langford of Jefferson District Court held an eviction hearing on May 13**, while Dr. Feldman was still in a hospital bed.

Now, Dr. Feldman is filing a **nationwide federal civil rights lawsuit** asking the court to **pause or stay all cases in every jurisdiction where pro se litigants — or defendants without lawyers — are treated differently** than represented parties.

Not Just for Plaintiffs — for Anyone Facing Unequal Justice

This isn't just about people trying to sue. It's for **defendants, tenants, elderly people, disabled Americans, working-class families** — anyone facing a courtroom where the rules change depending on whether you have a lawyer.

In courtrooms across the country:

- Lawyers can file by email or online. Pro se litigants have to show up in person.
- Attorneys get informal access to clerks and judges. Pro se litigants are treated like strangers.
- Clerks scrutinize filings from unrepresented people while rubber-stamping whatever lawyers file.
- Judges hold private conversations with attorneys — but not with you.
- Sheriffs say they'll only enforce state orders, even when a **federal lawsuit is already filed**.

In Louisville, This Is How It Happens

Dr. Feldman removed his case to **U.S. District Court on May 12, 2025**, under civil rights statutes. That should have stopped all state actions immediately. But **Judge Lisa Langford** held the hearing anyway.

> "I already know how the federal judge is going to rule," she said — before ruling herself.

Dr. Feldman was connected to the hearing by Zoom. He was **never sworn in**. He was **cut off before finishing his arguments**. He was **not allowed to question the opposing party**. His 81-year-old mother joined from home — and then their video feeds were disabled. Neither of them was allowed to fully participate.

The eviction went through. Unlawfully in violation of Federal Law.

The Sheriff's Department: "We Only Take Orders from Judge Langford"

Afterward, Jo Anne Feldman, 81, brought the federal court documents — including a stamped notice of removal and an emergency motion — to the **Jefferson County Sheriff's Office**.

They refused to accept them.

> "These are counterfeit," said **Captain T. Clark**.
> "We only follow Judge Langford's orders," said the clerk.

> "You'll have to appeal," she told Dr. Feldman by phone.
> Then she hung up.

Even the U.S. Constitution doesn't count if it's not coming from the right people, in the right club. Fortunately, the U.S. Marshals understand that federal law supersedes voided orders from defiant state judges who mock the Constitution.

The Landlord Has an F Rating. The Courts Don't Care.

The landlord behind the eviction is **Highmark Residential**, parent company of The Ivy Apartments — a defendant in a **federal RICO rent price-fixing lawsuit** and holder of an **F rating from the Better Business Bureau**.

These are the parties Judge Langford sides with — not elderly tenants. Not people in hospital beds. Not families trying to hold on.

Why "40 Acres and a Mule" Still Matters

When slavery ended, formerly enslaved people were told they'd get land — 40 acres and a mule — as the foundation of independence. That promise was stripped away almost immediately.

The **14th Amendment** was passed in its place — as the promise of **equal justice under law**.

That promise, too, is being revoked every day in American courtrooms by Judges like Langford in District Court and Clay in Circuit Court in Louisville.

This Lawsuit Aims to Freeze the System Until It's Fair

Dr. Feldman's lawsuit will ask the federal court to:

- Pause cases in court districts where pro se and represented parties are held to different rules
- Expose judges who engage in private conversations with attorneys but block access to unrepresented parties
- Confront sheriffs who refuse to enforce federal orders and instead obey unlawful state judgments
- Force a national reckoning with the way class, disability, and legal status determine outcomes

---

> **"This is why I cannot accept representation,"** says Dr. Feldman.
> "The discrimination is so open, so structural, so baked into the system that the only way I can prove the truth is to try to win without a lawyer. Because if I can't win *this* case — where the unequal treatment is written in black and white on court websites in all 50 states — then no one can. And if that's the standard, then the 14th Amendment doesn't exist. It never has."

Contact for Press or Legal Action

Dr. Daniel J. Feldman, Ph.D.
danieljfeldmanphd@gmail.com
+1 (307) 699-3223 (Uruguay)

Jo Anne Feldman (Authorized Agent)
jojofeld@bellsouth.net
+1 (502) 429-3567 (home) | +1 (502) 797-2506 (cell)

Respectfully,
Dr. Daniel J. Feldman, Ph.D.
Pro Se
danieljfeldmanphd@gmail.com
(307) 699-3223

On Tue, May 13, 2025 at 8:31 AM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

To:
Subject: URGENT – Notice of Removal Filed – Case 25-C-003961 (Feldman v. Ivy)

Dear Clerk of Court, Defendants, Counsel, and Federal Court staff

I am the pro se defendant in Case No. 25-C-003961, currently set for 9:02 AM on May 13, 2025, in Room 308.

This case was formally removed to federal court on May 12, 2025, and is now docketed as Case No. 3:25-CV-271-GNS in the U.S. District Court for the Western District of Kentucky. I filed a Notice of Removal in both federal and state court. Under 28 U.S.C. § 1446(d), the state court no longer has jurisdiction and is prohibited from proceeding further.

In addition, I am currently hospitalized due to a stroke resulting from the plaintiff's refusal to provide access to life-sustaining medication, a right I had previously requested under the ADA and federal housing law. The state court failed to timely review multiple verified ADA filings requesting emergency access, remote accommodations, and intervention. As a result, I am physically incapable of attending or meaningfully participating in this hearing — even remotely — without extreme hardship and medical risk.

I respectfully request that this case be taken off the call sheet and that no hearing proceed until the federal court has ruled on jurisdiction and the pending TRO.

Thank you for your urgent attention.

Sincerely,
Dr. Daniel J. Feldman
danieljfeldmanphd@gmail.com
(307) 699-3223
8809 Denington Dr., Louisville, KY 40222

On Mon, May 12, 2025, 07:54 Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

Subject: Notice of Federal Removal and Emergency TRO Filing – Feldman v. Ivy, et al.

To all named Defendants and related counsel:

Please be advised that the undersigned has formally removed the above-referenced cases (Jefferson Circuit Court Case No. 25-CI-002530 and Jefferson District Court Case No. 25-C-003961) to the **U.S. District Court for the Western District of Kentucky**, and has filed an **Emergency Motion for Temporary Restraining Order and Stay of State Court Proceedings**.

This action is being removed under 28 U.S.C. §§ 1331, 1441, and 1443 based on:

- Denial of Plaintiff's rights under the **Americans with Disabilities Act**
- **Ongoing due process violations** by the Jefferson courts
- **Systemic 14th Amendment violations** involving disparate treatment of unrepresented vs. represented litigants
- Procedural gatekeeping by court staff that excluded or blocked Plaintiff's verified filings and emergency pleadings
- The **court's failure to provide ADA accommodations**, contributing directly to Plaintiff's hospitalization

As of today, Plaintiff has been **hospitalized for over a week following a stroke**, which was caused by **denial of critical medication** — first by Defendants (Ivy, Highmark, their attorneys), and then by state courts that refused to act. This stroke occurred after repeated, documented requests for help were ignored or procedurally blocked.

Plaintiff/Defendant is **still hospitalized and will remain so beyond the current state court hearing date**, and cannot participate in person. The federal filing includes an ADA accommodation request and a motion for

remote participation.

This notice is also to inform you that Plaintiff's damages claims have increased. In addition to the previously stated claims totaling **$1.2 million**, Plaintiff now intends to pursue **additional damages for permanent harm and medical consequences** caused by Defendants' intentional negligence and the court's inaction.

Attached please find:

- Notice of Removal
- Emergency Motion for TRO
- Proposed Order
- Memorandum of Points and Authorities
- ADA and Remote Appearance Request
- Medical Records (Exhibit A)
- Certificate of Service
- Exhibit Packet and Table of Contents

You are hereby formally notified of this removal and motion for federal relief. A stamped copy of the Notice of Removal will also be filed with the Jefferson Circuit and District Courts immediately following the federal court filing.

Sincerely,

Daniel J. Feldman, Ph.D.
Pro Se Defendant
8809 Denington Dr.
Louisville, KY 40222
danieljfeldmanphd@gmail.com
(307) 699–3223

On Fri, May 2, 2025 at 1:04 PM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> Dear Clerk, ADA Coordinator, and Counsel:
>
> This is an urgent notification and formal record of what is now a **preventable medical emergency** and a **constitutional violation** occurring in real time.
>
> As of **2 minutes before closing today**, my **81-year-old mother**, Jo Anne Feldman—who uses a walker and suffers from COPD—was attempting to file physical copies of my court packet in *Highmark Residential LLC for SREIT Ivy Louisville, LLC v. Daniel J. Feldman*, Jefferson District Court Case No. 25-C-003961. She is now at the courthouse **struggling to breathe** after having been forced to run to meet an arbitrary deadline caused solely by the Court's **refusal to provide ADA-compliant accommodations**.
>
> This is the **fifth time** she has had to hand-deliver filings because, despite my documented disability and three formal ADA requests (submitted on April 2, 7, and 14), I have still not been granted remote access or e-filing privileges. The denial of those accommodations has now placed a medically vulnerable senior in physical jeopardy.
>
> Yesterday, a clerk laughed and dismissed my reference to **constitutional violations**. Today, those violations have become **life-threatening**. I have no current update from my mother and am genuinely concerned for her safety.
>
> If the Court refuses to accept today's packet—which was completed and in her possession before the deadline—it will only compound the harm already done. This is not a mere procedural hiccup. It is a violation of:
>
> - **Title II of the Americans with Disabilities Act (42 U.S.C. § 12132)**
> - **The Fourteenth Amendment**

- **Kentucky Constitution §§ 2 and 14**
- **Basic human dignity and fairness**

The full packet should be **accepted and backdated** to reflect the timely attempt to file. I will be submitting this correspondence to HUD and other agencies as part of my record of retaliation, obstruction, and failure to provide equal access to the courts.

Please confirm receipt of this message and whether the filing has been accepted. If it has not, I ask that the Court take immediate corrective action.

Sincerely,
Daniel J. Feldman, Ph.D.
Pro Se Defendant
8809 Denington Dr.
Louisville, KY 40222
danieljfeldmanphd@gmail.com
(307) 699–3223

On Fri, May 2, 2025 at 9:16 AM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> **Subject:** Courtesy Filing – Motions, Declarations, and ADA Accommodation Notice (Case No. 25-C-003961)
>
> Dear Counsel, Clerk, ADA Administrator, and Court Staff:
>
> Please find attached, as a single combined PDF packet, courtesy copies of the following filings submitted today, **May 2, 2025**, in *Highmark Residential LLC for SREIT Ivy Louisville, LLC v. Daniel J. Feldman*, Jefferson District Court Case No. 25-C-003961:
>
> 1. Motion to Dismiss and to Impose Sanctions (CR 12.02 / CR 11)
> 2. Memorandum of Points and Authorities in Support of the Motion
> 3. Verified Declaration of Daniel J. Feldman
> 4. Sworn Declaration of Jo Anne Feldman
> 5. Motion for Remote Appearance and ADA Accommodation
> 6. Proposed Order – Remote Appearance / ADA Accommodation
> 7. Proposed Order – Granting Motion to Dismiss
> 8. Proposed Order – Imposing CR 11 Sanctions
> 9. Composite Exhibit A (incorporating the April 7, 2025 Supplemental Declaration filed in Circuit Court Case No. 25-CI-002530)
> 10. Notice of Filing
> 11. Certificate of Service
>
> These documents have been submitted to the Jefferson District Court pursuant to **Jefferson District Court Local Rule 304** and **Kentucky CR 5.02**.
>
> I must also respectfully place on record the serious procedural hardship caused by the Court's ongoing refusal to provide ADA-compliant filing access. This marks the **fifth physical filing** that my **81-year-old mother with COPD ambulatory with a walker** has been required to deliver in person on my behalf, despite my **documented disability** and multiple formal **ADA accommodation requests** submitted on **April 2, April 7, and April 14, 2025**.
>
> No response has ever been issued by the Clerk, Court, or ADA coordinator. The Plaintiff's counsel continues to benefit from full e-filing access, while I remain excluded from basic participation. This differential treatment constitutes a violation of:
>
> - **Title II of the Americans with Disabilities Act (42 U.S.C. § 12132)**
> - **The Fourteenth Amendment to the U.S. Constitution (Equal Protection & Due Process)**
> - **Kentucky Constitution §§ 2 and 14**

A **verified HUD complaint** is on record and was served on Plaintiff by HUD on **April 21, 2025** (FHAP #C00-HO865 / HUD #04-25-8419-8), alleging retaliation and obstruction under **42 U.S.C. § 3617**.

I trust this Court will take seriously the issues of access, discrimination, and procedural fairness now documented in the record. I respectfully request that this filing be reviewed promptly, and that accommodations be granted in accordance with state and federal law.

Please confirm receipt of this email and packet at your earliest convenience.

Sincerely,

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699-3223
danieljfeldmanphd@gmail.com

On Mon, Apr 21, 2025 at 6:19 AM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> **Subject:** Filing Packet – Motions for Reconsideration and Clarification – Case No. 25-CI-002530
>
> Dear Clerk of Court, ADA Coordinator, Judicial Assistant for Judge Clay, Counsel and Defendants:
>
> Please find attached the following documents submitted today, April 21, 2025, in Case No. 25-CI-002530.
>
> 1. 1. Cover Letter to Clerk and Judicial Assistant
>
>   2. Motion for Clarification and Reconsideration of April 17, 2025 Order
>
>   3. Motion to Reconsider April 9, 2025 Order of Dismissal
>
>   4. Notice of Filing
>
>   5. Proof of Service
>
> These filings are submitted in good faith to preserve Plaintiff's rights under CR 59.05 and to respectfully correct and clarify significant procedural misstatements in the Court's prior orders.
>
> Please confirm receipt of this email and filings at your earliest convenience. My mother is dropping off hard copies for filing this morning.
>
> **Daniel J. Feldman, Ph.D.**
> Pro Se Plaintiff
> danieljfeldmanphd@gmail.com
> (307) 699-3223
>
> On Sun, Apr 20, 2025 at 12:25 AM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:
>
> > **Subject:** Notice of Public Dissemination of Press Release & Narrative – Case No. 25-CI-002530
> >
> > Dear Clerk of Court, ADA Coordinator, Judicial Assistant for Judge Clay, Counsel and Defendants:
> >
> > This email is being sent simultaneously to all involved parties, explicitly ensuring this is **not an ex parte communication**. I affirm that I have always adhered strictly to the rules of court by providing proper notice and serving all parties simultaneously, in stark contrast to repeated procedural violations by the defendants and their counsel.
> >
> > I respectfully notify the Court, Judge Clay's chambers, and all parties and their representatives that I have publicly disseminated the attached press release and detailed narrative concerning the issues in Case No. 25-CI-002530. These documents specifically highlight significant concerns about the recent order dated April 17, 2025, by Judge Sarah Clay, which explicitly denies my right to file further routine procedural filings, including a Motion for Reconsideration—a right clearly allowed under Kentucky court rules (CR 59.05).
> >
> > This highly unusual order directly violates established procedural norms, my constitutional right to due process, and my rights protected under the Americans with Disabilities Act (ADA). Such an

order, by any reasonable standard, obstructs justice and denies my basic civil liberties to be heard and fairly represented in court.

Given the serious implications of these actions, I have referred this matter for judicial review by appropriate oversight authorities. Additionally, I have brought the gravity of this situation to the attention of media outlets, advocacy groups, and the public, highlighting the urgent need for accountability and reform within Jefferson County's court system.

Please find attached:

1. Official Press Release: "Louisville Courts Enable Predatory Eviction Scheme Targeting Disabled Tenants"

LOUISVILLE COURTS ENABLE PREDATORY EVICTION SCHEME TARGETING DISABLED TENANTS

Court insiders reveal Jefferson County judges collaborate with landlords who have an "F" rating from the Better Business Bureau to abuse vulnerable renters

Jefferson Circuit Court Judge Sarah Clay has refused to review crucial evidence submitted by disabled Louisville resident Dr. Daniel Feldman, enabling The Ivy Apartments—managed by Highmark Residential—and their attorneys, the Rawn Law Firm, to continue a campaign of harassment, retaliation, and false eviction attempts. Most recently, Judge Clay unlawfully blocked Dr. Feldman from filing a legally permitted Motion for Reconsideration, cutting off his right to seek a fair hearing in court.

This judicial misconduct leaves Dr. Feldman with no legal means to stop relentless harassment by The Ivy Apartments, which has already caused him severe medical harm, including permanent vision loss in one eye. Despite carefully following all court filing rules and submitting extensive evidence—including medical records and sworn statements under penalty of perjury—Judge Clay refused to review any of Dr. Feldman's filings. Instead, on April 9, 2025, she privately dismissed his case after reviewing only a brief, unsworn statement electronically filed by the landlord's attorney.

The disparity in treatment is clear and deeply unfair. Dr. Feldman, representing himself without an attorney, must personally file all documents with the court. His 81-year-old mother, who suffers from COPD and relies on a walker, has been forced to deliver multiple filings physically directly to the courthouse. Yet, these filings, despite fully complying with court rules, have consistently been ignored. Meanwhile, the landlord's attorney comfortably submits inaccurate statements electronically from home, often without following proper procedures or even providing required copies to Dr. Feldman, openly violating basic court rules.

Since Highmark Residential began managing The Ivy Apartments in early 2022, Dr. Feldman has faced a relentless pattern of harassment and false eviction threats. The current eviction proceeding marks the seventh attempt since 2022 in which management has falsely accused Dr. Feldman of lease violations, many entirely fabricated or not even mentioned in his lease agreement. Past eviction threats have included trivial or fabricated claims such as unauthorized pets, alleged harassment based on harmless interactions, and now manufactured claims of nonpayment of rent.

This pattern of false eviction threats coincides with ongoing harassment and retaliation by The Ivy Apartments. Management has repeatedly refused to honor agreed-upon referral bonuses, reimbursements for services discontinued without notice, and has deliberately refused to process rent payments correctly—payments Dr. Feldman has always been willing and able to make. Dr. Feldman has consistently offered to pay rent (including under protest due to disputed charges), yet management intentionally obstructed his efforts by failing to provide accurate payment instructions.

The current false eviction case, scheduled to be heard in May, follows a deliberate four-step eviction scheme:

1. **Illegal Lease Renewal:** Early in 2025, management refused Dr. Feldman's lawful request to terminate his lease, instead renewing it without his consent, attempting to bind him to another year against his wishes.

2. **Blocking Rent Payments:** Despite Dr. Feldman's repeated offers and readiness to pay rent, management deliberately provided inaccurate or no payment instructions, fabricating the appearance of nonpayment.

3. **False Eviction Claim:** Management then immediately filed eviction proceedings based on this intentionally created "nonpayment" scenario, even though Dr. Feldman always had the money available and was prepared to pay.

4. **Demanding Payment for Unconsented Lease:** Management now intends to force Dr. Feldman to pay rent for an entire year under the illegal lease renewal, creating an unjust financial burden and a continued threat of eviction.

These abusive tactics significantly worsened Dr. Feldman's existing health conditions. In fall 2024, after undergoing critical eye surgery that required a calm recovery environment, management intensified their harassment, causing medical complications that resulted in permanent vision loss in Dr. Feldman's eye—a severe injury clearly documented by medical records submitted to the court.

Highmark Residential, the company managing The Ivy Apartments, holds an "F" rating from the Better Business Bureau, reflecting more than 120 formal tenant complaints for harassment, unsafe conditions, financial exploitation, and improper eviction tactics. Highmark is also the subject of ongoing federal lawsuits alleging rent-price collusion and illegal eviction practices, confirming a documented history of abusive landlord behavior.

The Rawn Law Firm, representing The Ivy Apartments, openly markets itself as an eviction specialist, boasting fast and favorable outcomes for landlords. According to anonymous court employees, the firm consistently employs aggressive tactics against vulnerable, disabled, or economically disadvantaged tenants, expecting—and receiving—active cooperation from Jefferson County courts.

Dr. Feldman's experiences align closely with broader documented systemic abuses in Louisville. Reports from the Kentucky Equal Justice Center and local investigative journalism have repeatedly uncovered that Jefferson County courts routinely deny tenants their rights, ignore evidence tenants submit, and fail to provide legally required accommodations for tenants with disabilities. In many eviction cases, tenants have mere minutes before judges who often side immediately with landlords, leaving residents without representation or fair hearings.

Dr. Feldman has an open, active investigation with the U.S. Department of Housing and Urban Development (HUD), formally documenting his allegations of landlord misconduct and judicial bias. The HUD investigation adds additional credibility and urgency to his ongoing situation, highlighting broader implications beyond his personal experiences.

To highlight the severity of this crisis, Dr. Feldman—a federal whistleblower who successfully exposed corruption at the government level, recovering millions of taxpayer dollars at his own personal cost—has announced a hunger strike beginning July 4th. His hunger strike will focus national attention on systemic judicial corruption in Louisville, specifically targeting predatory landlord practices and the complicity of local courts.

Dr. Feldman's situation serves as a critical example of how Louisville's court system has failed vulnerable tenants, enabling harmful landlord behavior and obstructing justice for disabled individuals. Immediate federal oversight and judicial accountability are urgently necessary to protect tenants' basic rights to fair hearings, disability accommodations, and safe housing.

Attached is the official press release distributed publicly, which includes documented references to ongoing landlord abuses and the complicity of Jefferson County Courts in supporting these harmful practices.

Respectfully,
Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
danieljfeldmanphd@gmail.com
(307) 699-3223

Attachments:

- Press Release
- 1,000-word Narrative

On Tue, Apr 15, 2025 at 10:34 AM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> Subject: Urgent Follow-Up – Request for Judicial Review and Hearing – Case No. 25-CI-002530
>
> Dear Clerk of Court, ADA Coordinator, Judicial Assistant for Judge Clay, Counsel and Defendants,
>
> I'm writing to urgently follow up on my verified filings in Case No. 25-CI-002530, including the April 11 Notice of Intent to File for Reconsideration. These include sworn declarations, time-stamped communications, and documented evidence of retaliation, obstruction of medical access, and denial of ADA accommodation.

I respectfully ask: Has Judge Clay seen these filings in full? I have now asked this at least three separate times — in writing — for confirmation that all filings were received, docketed, and placed before the Judge, now totaling 19. I have received no answer. I am not demanding a ruling — only an acknowledgment: **yes, no, or pending**. For a court responsible for reviewing emergency restraining orders, this level of silence suggests that this is not a court that takes emergencies seriously.

Due to medical treatments, I will be unavailable for the rest of today and likely part of tomorrow morning. Given the emergency nature of this matter, I again ask whether Judge Clay intends to reconsider the jurisdictional ruling or grant an ex parte hearing.

This is not a jurisdictional gray area. When I attempted to file the TRO in District Court on March 31, I was told explicitly that the relief I sought — to stop retaliation, obstruction of rent and medical access — was not within District Court's jurisdiction. I was directed to Circuit Court, where I filed in good faith on April 2.

The very next day, Defendants filed a retaliatory eviction — despite having been served my TRO packet the night before. That eviction is based on false nonpayment claims. My rent was never refused; it was blocked. The eviction filing was designed to preempt this Court's ability to act. And the longer this Court waits, the more successful that tactic becomes.

I understand some may respond by saying "then just file your motion for reconsideration and place it on calendar." I intend to do exactly that — and am working on the motion now — but I must be clear:

Filing that motion does not solve the emergency. It does not stop the retaliation. It does not restore access to medication, now denied for over two months. It does not stop the clerk from continuing to block filings or shield the judge from review. And it does not undo the lost medical time I've endured while abroad trying to manage treatment and being forced to fight through procedural walls.

I am also in the process of preparing a motion for damages. That motion is being carefully constructed and coordinated with a HUD complaint currently under review. I reserve all rights to file and expand upon those claims. But the need for emergency relief remains urgent and independent — and cannot wait for that complaint to conclude.

Lastly, respectfully, this is not a determination for the Clerk's Office to make. Jurisdictional rulings and hearings must be handled by the Judge. The filings I submitted — including 19 verified and sworn pleadings — are already before the Court. I respectfully request that they be placed before Judge Clay directly, and that this Court reconsider its refusal to hear this matter.

And to reiterate: please respond, upon receipt of this email, with a direct answer — **has Judge Clay had the opportunity to review all 19 verified filings?**

Sincerely,

Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
danieljfeldmanphd@gmail.com
(307) 699-3223

On Fri, Apr 11, 2025, 06:59 Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> *Filing: Notice of Intent to File Motion for Reconsideration – 25-CI-002530 (Filed April 11, 2025)*
>
> Dear Clerk of Court, ADA Coordinator, Judicial Assistant for Judge Clay, Counsel and Defendants,
>
> Please find attached the filing titled **"Notice of Intent to File Motion for Reconsideration"** in the matter of **Feldman v. SREIT IVY Louisville, et al., Case No. 25-CI-002530 (Division 9)**, filed today, April 11, 2025.
>
> This email also constitutes **formal service of the attached filing** to all named parties under CR 5. No objections have been raised to electronic service, and all emails below have been previously used for service in this matter.

This filing includes:

- A cover letter addressed to the Clerk and Judicial Assistant for Division 9;
- The full Notice of Intent to File Motion for Reconsideration (CR 59.05);
- Verified Proof of Service confirming delivery to all parties at approximately 9:00 AM ET today.

Physical delivery is being made to the Clerk's Office concurrently, but I request that this email version be stamped as filed and forwarded directly to **Judge Sarah Clay** for review. The verified record referenced in this filing exceeds 150 pages and reflects ongoing retaliation, ADA obstruction, and procedural misconduct. I respectfully request that it not be withheld, delayed, or diverted.

Please confirm receipt. Below is a text copy of the cover letter attached.

TO THE CLERK OF THE JEFFERSON COUNTY CIRCUIT COURT AND ASSISTANT TO THE HONORABLE SARAH CLAY:

Please accept for filing the attached **Notice of Intent to File Motion for Reconsideration** in the above-captioned matter.

Due to repeated procedural irregularities—including the failure to acknowledge three prior verified filings submitted on April 2, April 7, and April 9—**I respectfully request that this document be delivered in full to Judge Sarah Clay for direct review**.

This filing is being delivered both:

- **Electronically**, to all defendants and counsel, as well as to this office, and
- **Physically**, via my 81-year-old mother, who should not have to make this delivery, but is doing so due to the Court's repeated failure to acknowledge prior verified pleadings

.

This Notice includes critical jurisdictional arguments, over 150 pages of record cross-references, and a request that the Court take corrective action before the Motion for Reconsideration is formally filed.

I am requesting that this document and its supporting materials be placed **directly before the Court**, and that no part of this filing be withheld, delayed, or excluded from judicial review.

Respectfully submitted,
Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
(307) 699-3223
danieljfeldmanphd@gmail.com

On Wed, Apr 9, 2025 at 1:32 PM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> *A small point of clarification in the previous email: the phone call took place in the time zone where I'm at currently at12:48 PM, which would be 2:48 PM EDT.*

On Wed, Apr 9, 2025 at 1:29 PM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> **Dear Leslie Davis,**
>
> I'm writing to report and document a concerning phone interaction I had today with **Mary in the Clerk's Office for Division 9**, regarding **Case No. 25-CI-002530 (Feldman v. SREIT Ivy, et al.)**.
>
> At approximately **12:48 PM on April 9, 2025**, I called (502) 595-4153 to confirm whether the Court had reviewed or scheduled a hearing in response to my **TRO filings (April 2, 7, and 9)** and my formal **ADA request for remote appearance**.
>
> The call lasted approximately **6 minutes and 15 seconds** and was disturbing in both tone and substance. I would like to summarize it accurately:
>
> ---
>
> ### ✅ What Mary (Clerk) Stated or Implied:
>
> - That the **judge does not have to grant a hearing** under CR 65.04 and is **not going to schedule one**.
> - That the **Court has "reviewed your documents"** (unclear whether this includes the filings made today).
> - That **my TRO filing is not an emergency**, stating flatly: *"This is not emergent; it's a TRO, not an emergency protective order."*
> - That *"the only thing you're asking for is injunctive relief from eviction,"* which I corrected, since the TRO request clearly involves retaliation, denial of medical access, obstruction of lease process, and more.
> - That I should **"get a lawyer"**—a phrase she repeated multiple times—despite knowing I'm a pro se disabled litigant who has been unable to secure counsel.
> - That she **refused to read the cover letter**, despite the fact that it was addressed directly to her and the Judge's Assistant and hand-delivered by my 81-year-old mother, who was physically present downstairs at the courthouse at the time.
> - That *"we've already reviewed your case,"* implying that any further filings (including today's) **will be dismissed without meaningful consideration**.
>
> When I tried to explain that the cover letter described my disability, lack of access, ADA request, and the procedural hardship being imposed on my mother, Mary repeatedly cut me off and reiterated that *"there will be no hearing,"* and that I should *"call back when you get a lawyer."*
>
> ---
>
> ### ✅ What I Am Asking the Court to Acknowledge and Clarify:
>
> 1. **Has the judge reviewed the filings I submitted today (April 9)?**

2. **Will the Court rule on my request for emergency relief and my ADA request for remote participation?**

3. **Why is a verified, indexed, multi-part TRO application being administratively sidelined, while the Court allowed Defendants to submit a single non-sworn, factually false response without notice?**

My filings go far beyond a simple request to stop an eviction. I've submitted detailed documentation of retaliation, denial of access to HIV medication, constructive eviction from storage units, and procedural obstruction that is now being carried out by court staff.

If the judge has ruled, I respectfully request a copy of that ruling or order. If the judge has **not ruled**, then I respectfully ask that this pattern of gatekeeping by court staff be addressed.

This process is becoming increasingly burdensome. My **81-year-old mother has now had to hand-deliver filings multiple times**, and I am being forced to draft yet another motion simply to preserve my ability to participate in the process due to the refusal of the Court to act on my ADA request.

For the Court's convenience and to ensure complete review, I have attached today's filings in PDF format, identical to the versions delivered to the Clerk's Office earlier this afternoon. For all previous filings referenced in today's index—including those dated April 2 and April 7—I respectfully direct the Court to the attached **Index of Filings**, which includes page and pleading references to each submission, all of which were previously filed and served.

I thank you for reading this, and I respectfully request that this email and attachments **be forwarded directly to Judge Clay for review.**

Sincerely,

Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
danieljfeldmanphd@gmail.com
+1 (307) 699-3223

On Wed, Apr 9, 2025 at 9:03 AM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> **Subject:** Correction to Hand-Delivered Declaration – Case No. 25-CI-002530 (Feldman v. SREIT Ivy)
>
> **Dear Leslie Davis,**
>
> For the Court's convenience, I am also reproducing the full content of the cover letter submitted with today's filing below:
>
> **TO THE CLERK OF THE JEFFERSON COUNTY CIRCUIT COURT**
>
> **AND ASSISTANT TO THE HONORABLE SARAH CLAY:**
>
> This courtesy filing is being submitted by Plaintiff, Daniel J. Feldman, Ph.D., to request immediate equitable relief and judicial recognition of severe procedural abuse. On April 8, 2025, Defendants submitted a response to Plaintiff's pending TRO application that contains **knowingly false and provably inaccurate statements**. Every material claim made in that filing is false and directly contradicted by documents already in the record and cited in Plaintiff's indexed TRO filings.

Because of that April 8 filing—an abusive, retaliatory, and false submission—Plaintiff is now forced to file this Second Supplemental Declaration. Plaintiff is disabled and located abroad. He has no physical access to court filing systems, and his repeated requests for electronic access and remote hearing participation remain unaddressed.

Therefore, **Plaintiff's 81-year-old mother, who has COPD and uses a walker**, must now **physically deliver this document today** in response to a filing that never should have been accepted without verification. This burden—placed upon an elderly woman and a medically vulnerable Plaintiff—is not just inequitable. It is **procedural violence**.

This pattern has been thoroughly documented in Plaintiff's March 31, April 2, April 7, and April 9 filings. It continues now. If Defendants had not submitted false statements on April 8, this filing would not be necessary. If the Court had granted a TRO hearing and ruled on the ADA remote appearance request, this filing would not be necessary. It is only necessary because **the legal process is being abused against a disabled man, by design**.

Plaintiff respectfully asks that the Court **accept this as a formal filing under the Court's equitable discretion**.

I am also writing to inform the Court that a **minor factual correction** was made by hand to the version of the **Second Supplemental Declaration** that was hand-delivered this morning by my mother.

In **Page 5, Pleading ¶14**, the word **"four"** was corrected to **"two"** to reflect the accurate number of physical filings she has made on my behalf in the last ten days.

This handwritten correction was made in the printed declaration at the time of delivery to the Clerk's Office.

Please note that the previously submitted email version still contains the word "four" and should be read as corrected accordingly.

Thank you for your attention and understanding.

Respectfully,
Daniel J. Feldman, Ph.D.
Pro Se Plaintiff
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
Warmest regards,

Daniel J. Feldman, Ph.D.

Clinical Neuropsychologist and Touch Healer

+1 (307) 699-3223
+1 (435) 612-0242

"And now here is my secret, a very simple secret: It is only with the heart that one can see rightly; what is essential is invisible to the eye."
***The Little Prince** by Antoine de Saint-Exupéry*

On Wed, Apr 9, 2025 at 7:39 AM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> **Dear Leslie Davis,**
>
> I am writing to submit the enclosed documents in the above-referenced matter, which are being delivered in response to the Defendants' April 8 filing. As noted in the cover page and declaration, the April 8 filing includes multiple false and materially misleading statements that have required immediate correction and response.
>
> Accordingly, I respectfully submit the following materials as part of my second April 9, 2025 filing:
>
> 1. **Cover Letter to the Clerk and Judicial Assistant**
> 2. **Second Supplemental Declaration and Legal Authorities in Further Support of TRO, Sanctions, and Relief**
> 3. **Updated Index of All Filings in Support of TRO, Sanctions, and Relief**
> 4. **Proof of Service**
>
> These documents include specific refutations of the Defendants' April 8 claims, renewed requests for emergency hearing access, and arguments in opposition to the premature motion to dismiss individual defendants. As documented, I remain outside the United States and continue to request remote participation in all proceedings under the Americans with Disabilities Act.
>
> This supplemental filing has also been physically delivered today via my 81-year-old mother, who is again assisting me due to my medical and physical constraints. We respectfully ask that these materials be docketed and provided to the Court as soon as possible.
>
> Thank you for your time and attention to this urgent matter.
>
> Respectfully,
> **Dr. Daniel J. Feldman, Ph.D.**
> Pro Se Plaintiff
> 8809 Denington Dr
> Louisville, KY 40222
> danieljfeldmanphd@gmail.com
> +1 (307) 699-3223

On Tue, Apr 8, 2025 at 7:37 AM Davis, Leslie <LeslieDavis@kycourts.net> wrote:

> Good morning! Judge Clay is reviewing this case. If she believes a hearing is needed, I will reach out. Thanks so much!
>
> **Leslie Davis**

Judicial Secretary, Division Nine

Judge Sarah E. Clay

700 West Jefferson Street Ste. 804

Louisville, Kentucky 40202

(502) 595-4356 (phone)

lesliedavis@kycourts.net

Zoom Video Conference

Meeting ID: 202 566 4042

https://us02web.zoom.us/j/2025664042

Kentucky Court of Justice Confidentiality Notice

This message and/or attachment is intended only for the addressee and may contain information that is privileged, confidential and/or proprietary work product. If you are not the intended recipient, or an authorized employee, agent or representative of the intended recipient, do not read, copy, retain or disseminate this message or any attachment. Do not forward this message and attachment without the express written consent of the sender. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachment. Transmission or misdelivery shall not constitute waiver of any applicable legal privilege.

From: Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com>
Sent: Monday, April 7, 2025 7:02 PM
To: Davis, Leslie <LeslieDavis@kycourts.net>
Cc: Michelle Rawn <Michelle@rawnlawfirm.com>; John Benz <John@rawnlawfirm.com>; jayson Frew <jayson.frew@gmail.com>; Jo Anne Feldman <jojofeld@bellsouth.net>
Subject: Request for Hearing and Clarification – TRO & Sanctions (Case No. 25-CI-002530)

Dear Ms. Davis,

I am writing regarding **Feldman v. SREIT Ivy Louisville, LLC et al.**, Case No. **25-CI-002530** (Division 9, Hon. Judge Sarah Clay).

I respectfully request that a **hearing be scheduled** on the following matters:

- **Plaintiff's Motion for Temporary Restraining Order**,
- **Supplemental Sworn Declaration filed April 7, 2025**, and
- **[Proposed] Order Granting Sanctions and Interim Relief**

I request that these be heard together in a **joint hearing**, as they both pertain to the same pattern of retaliatory and obstructive conduct now before the Court.

I previously submitted a **Remote Appearance Request**, due to medical necessity and current travel abroad. However, I only learned today that this matter was listed on the April 7, 2025, motion hour docket. I was not notified of the hearing, any approval of remote appearance or instructions, and therefore could not attend.

The docket also indicates "**ORD TEND**" under the listed motions. I respectfully ask for clarification on whether any action was taken or orders were entered on the TRO or related filings.

In accordance with procedural rules, **all defendants or their counsel have been copied on this email**.

For the Court's convenience, I have reattached both the **initial TRO filing packet** (submitted April 2) and the **Supplemental Declaration packet** (filed April 7), including all exhibits, proposed orders, and proof of service.

Please let me know whether the Court can set a new hearing date. I remain available and respectfully reiterate my request to appear remotely.

Thank you for your time and assistance.

Sincerely,
Daniel J. Feldman, Ph.D.
Plaintiff, Pro Se
danieljfeldmanphd@gmail.com
(307) 699-3223
8809 Denington Drive
Louisville, KY 40222

3 attachments

image001.gif
14K

20250521 2nd SUPPL EMERG MOTION TO ENFORCE JURISDICTION-BLOCK UNLAWFUL EVICTION-REFER CRIMINAL CONDUCT Feldman v IVY 3.25CV-271-GNS.pdf
80K

20250521 POS 2ND SUPPL EMERG MOTION AND SUPPPORTING DOCUMENTS Feldman v Ivy 3.25CV-271-GNS.pdf
71K

- **Exhibit K** – Letter to HUD (Grace Walsh) notifying of escalation in federal complaint

Gmail **Daniel Feldman <danieljfeldmanphd@gmail.com>**

Escalation of Civil Rights Violations – Retaliation, False Police Reporting, ADA Obstruction, Hate-Based Conduct

Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> Thu, May 22, 2025 at 2:24 PM
To: "Walsh, Grace" <grace.walsh@louisvilleky.gov>
Cc: Jo Anne Feldman <jojofeld@bellsouth.net>, Michelle Rawn <michelle@rawnlawfirm.com>, John Benz <john@rawnlawfirm.com>, Mary Beth Woodard <mwoodard@highmarkres.com>, "Blair, Ramone" <ramoneblair@kycourts.net>, "Vickery, Ashley" <ashleyvickery@kycourts.net>, mberghaus@jcsoky.org, wdky-info@usmarshals.gov, jeffcodistrictcourtadmin@kycourts.net, "Davis, Leslie" <lesliedavis@kycourts.net>, "Young, Briona" <brionayoung@kycourts.net>, jayson Frew <jayson.frew@gmail.com>, "Daniel Feldman (Daniel J Feldman, PhD)" <Danieljfeldmanphd@gmail.com>

Dear Ms. Walsh and the U.S. Department of Housing and Urban Development,

This letter serves as a formal escalation of my pending HUD complaint regarding discriminatory retaliation and obstruction by Ivy Apartment Homes. On **May 21, 2025**, the same staff member whose actions formed the basis of that complaint, **Ashley Lemons**, again took unlawful and discriminatory action against me and my family — this time with criminal implications.

Ms. Lemons trespassed my **81-year-old mother**, **Jo Anne Feldman**, from the apartment I lawfully occupy, **despite her being my authorized representative** and **acting with written permission**. She was on site solely to observe and assist with property protection during what was **wrongly represented to LMPD** as an imminent eviction.

In fact:

- **There was no valid eviction order**. The Jefferson County Sheriff's Office had confirmed to my mother **that no enforcement would proceed** without a federal court ruling.
- **Ashley Lemons and John Benz knowingly lied to LMPD**, falsely claiming the eviction was being carried out that day — despite knowing it had been stayed under federal law.

Their conduct was an act of retaliation and obstruction, timed to:

- Remove all supervision of Ivy's handling of my personal property
- Prevent me from exercising rights under federal housing law
- Escalate the civil rights violations already under HUD review

I have **never met Ashley Lemons**. She began retaliating against me **the moment she assumed her position** at Ivy, without cause, context, or explanation. In **February 2025**, she banned my mother from the property — at a time when rent was current and I had submitted an **Intent to Move Out** to lawfully end the lease. Her conduct made that impossible. Since then:

- Ivy, and specifically Ms. Lemons, **diverted, obfuscated, delayed, and ultimately refused to sign or confirm my Intent to Move Out communication, locking me into a non-consenting lease renewal**, one which I later withdrew in writing asserting that the unlawful lease renewal through intential landlord negligence allowed me to continue the lease without financial obligation to the party whose actions caused the renewal
- Ivy has **refused to tell me how to pay rent**
- They **perjured themselves in court**, falsely stating I had not tried
- They **refused rent under protest**, then used that refusal to fabricate "nonpayment"
- They **lied to law enforcement** about my intent and presence
- They **removed federally posted signage** warning of court protection and that the sign removal itself constituted trespass over a federally-protected area — signage I believe Ashley Lemons personally ordered taken down in her role as Director over the property management

Then, on May 21, she falsely claimed that I had "threatened them with firearms." This was a **fabricated 911 call**, made after I lawfully notified all parties (including HUD) that I had retained **two licensed off-duty police officers from MetroBlueLine** to guard my belongings due to confirmed theft risk and lock tampering. My email on that point, on which you were copied, attached in Federal filings as **Exhibit J**, stated clearly:

"This is not a threat. This is a constitutional necessity."

This is not just retaliation. It is **hate-based obstruction** against a disabled tenant who has:

- Requested ADA accommodations
- Complied with all federal court requirements
- Sought peaceful resolution, supervision, and court protection

Yet I was denied the right to pay rent. Denied the right to leave. Denied the right to stay. Denied representation. And then criminalized for seeking protection with off-duty police security.

🔴 I respectfully request:

1. That this event be **added to the HUD investigation file**
2. That HUD acknowledge the **criminal escalation** involved
3. That Ashley Lemons and John Benz be referred to the **U.S. Attorney's Office for hate crime and obstruction review**
4. That Ivy's actions be reviewed for systemic policy failure under federal housing law

I am submitting this letter to the U.S. District Court as **Exhibit K**, and will attach it to my Third Affidavit and Emergency Judicial Status Update.

Please confirm receipt. Further exhibits and sworn declarations are forthcoming.

Respectfully,
Dr. Daniel J. Feldman, Ph.D.
Pro Se Complainant and Plaintiff
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
May 22, 2025

On Wed, May 21, 2025 at 10:16 AM Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com> wrote:

> To:
>
> - Jefferson County Sheriff's Office (mberghaus@jcsoky.org)
> - U.S. Marshals Service (wdky-info@usmarshals.gov)
> - Ivy Property Management (mwoodard@highmarkres.com; TheIvyACD@highmarkres.com)
> - Opposing Counsel (jbenz@rawnfirm.com, mrawn@rawnfirm.com)
> - Relevant Court and Administrative Contacts
>
> ---
>
> To all parties previously served:
>
> This is a formal and urgent notice that I, **Dr. Daniel J. Feldman**, pro se Plaintiff in **Feldman v. Ivy, Case No. 3:25-CV-271-GNS**, have authorized on-site protection of my apartment unit and federally controlled property due to the complete and repeated **failure of the Jefferson County Sheriff's Office** to confirm or deny enforcement intentions, and due to **criminal tampering and removal of door locks** at the unit.
>
> As of **this morning, May 21, 2025**, no one from the Sheriff's Office, Ivy Management, or the U.S. Marshals Service has responded to repeated, verified service of filings, emails, voicemails, or federal court notices — despite being notified every day for over a week.
>
> There is **no remand order from the U.S. District Court**. There is **no valid writ of possession**, and enforcement of the May 13 state order is **void under 28 U.S.C. § 1446(d)**.
>
> However, Ivy Management has already taken **extrajudicial steps to effect an eviction**:
>
> - They removed locks from the doors prior to the Sheriff's arrival
> - They destroyed federal court signage posted under § 1446(d)

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE OF FILING: May 22, 2025

CHIEF JUDGE GREG N. STIVERS

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF CRIMINAL REFERRAL, MANDATORY INCARCERATION, RESTITUTION, AND EMERGENCY RELIEF

TO THE HONORABLE CHIEF JUDGE STIVERS OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

MEMORANDUM OF POINTS AND AUTHORITIES

IN SUPPORT OF CRIMINAL REFERRAL, MANDATORY INCARCERATION, RESTITUTION, AND EMERGENCY RELIEF

I. OVERVIEW AND DEMAND FOR CRIMINAL PROSECUTION

This is not a civil dispute. It is a pattern of **criminal obstruction, hate-based retaliation, and malicious abuse of judicial systems** that has persisted for more than three years — coordinated by the same property management staff, the same law firm, and now culminating in **a false 911 call and police report** made to justify illegal trespass and unsupervised property seizure during a federal stay.

Plaintiff respectfully demands that **Ashley Lemons**, **John Benz**, and other Ivy personnel co-conspirators be immediately referred to the **U.S. Attorney's Office** and **Kentucky Commonwealth Attorney** for prosecution under the following statutes, which carry **mandatory incarceration** upon conviction and are not subject to discretionary delay or civil workaround.

II. STATUTORY BASIS FOR CRIMINAL REFERRAL AND INCARCERATION

1. False Reporting to Law Enforcement (Kentucky Law)

KRS § 519.040

A person is guilty of falsely reporting an incident when, knowing the information is false or baseless, they report **an offense or incident which did not occur.**

- Class A Misdemeanor (default); **Class D Felony if law enforcement responds, which they did**
- **Mandatory sentencing** of 1–5 years for felony version

➡️ Ashley Lemons knowingly called LMPD and falsely stated that Plaintiff had "threatened them with firearms," when all parties had received a written email (Exhibit J) clearly stating:

"This is not a threat. This is a constitutional necessity."

LMPD responded based on that lie and forcibly, albeit respectfully, removed Plaintiff's ADA-authorized representatives.

2. Obstruction of Court Orders (Federal Law)

18 U.S.C. § 1509

"Whoever**... by threats or force, willfully prevents, obstructs, impedes, or interferes with...** the due execution of any order, rule, or decree of a court of the United States" shall be punished by **fine or imprisonment up to 1 year**, or both. This includes misrepresentation, trespass, or forced entry, all relevant here:

- Ivy removed federal signage posted under **28 U.S.C. § 1446(d)**
- They falsely claimed a valid eviction was in effect to LMPD
- They physically excluded Plaintiff's ADA-authorized representative, including his 81-year old mother on a walker suffering from COPD
- They did so **while a federal emergency motion was pending**
- They **proceeded without Sheriff enforcement**

The signage posted on Plaintiff's property stated in bold and explicit language:

"Any unauthorized removal, destruction, or tampering will be treated as criminal trespass and obstruction and referred to local law enforcement, the U.S. District Court, and HUD."

It further warned that:

"Removing signage tied to a federal court's enforcement stay may constitute interference with judicial process, especially if done by or at the direction of a party to the litigation (e.g., Ivy, Highmark, or their counsel/agents)."

3. Conspiracy Against Rights (Federal Law)

18 U.S.C. § 241

"If two or more persons conspire to injure, oppress, threaten, or intimidate... in the free exercise or enjoyment of any right... they shall be fined... or imprisoned **not more than ten years**, or both; and if death or bodily injury results... for **any term of years or for life.**" Any conspiracy to deprive someone of federally protected rights — especially under color of law — is a **felony.**

- The eviction campaign caused permanent medical harm (loss of eyesight), psychological trauma, and harm to Plaintiff's family
- Multiple fraudulent evictions and bans were carried out
- The same personnel (Benz, Lemons, Woodard, Heath, other Ivy staff) acted in unison
- The conduct was repeated, escalated, and targeted at Plaintiff's disability
- They abused state authority to enforce void orders
- Ashley Lemons lied to LMPD and blocked access to medication
- Initiated eviction while Plaintiff was hospitalized abroad, likely due to his blocked access to medication

➡️ This statute authorizes **decades of incarceration** when conspiracies result in medical harm or violate federal protected rights.

4. Retaliation Under the ADA

42 U.S.C. § 12203

- Prohibits retaliation against a person asserting ADA rights and housing rights under HUD accommodations
- Enforceable via civil and criminal remedies

➡️ Plaintiff was:

- Denied ADA and HUD accommodations repeatedly
- Penalized for asserting remote access rights
- Retaliated against when asserting lease termination, rent payment, service access
- Banned, excluded, and denied all procedural rights
- Threatened to be evicted under false pretenses on six or more occasions
- Witnessed his mother banned twice without justification
- Slandered about rent status to courts and police

Each of these acts triggers both **civil and criminal remedies** under federal law.

III. DOCUMENTED PATTERN SINCE 2022 (Factual Record)

Since 2022, Ivy and its counsel have:

- Filed **false nonpayment claims and threatened housing at least seven occasions without justification or lease violations**
- Refused to allow lease termination
- Refused rent payments under protest
- Lied to the court about payment attempts, balances, and documentation
- Removed federal signage and locks
- Changed locks without notice
- Denied access to medication
- Banned Plaintiff's 81-year-old mother (his ADA proxy) **twice**
- Initiated eviction proceedings during hospitalization
- Committed perjury and subornation of perjury
- Abused process and lied to police to engineer forced entry and property seizure

These acts were not isolated. They form a **coordinated, ongoing campaign** of discrimination and retaliation.

IV. MEDICAL HARM AND IRREVERSIBLE INJURY

As a result of this conspiracy:

- Plaintiff suffered permanent loss of vision
- Plaintiff was denied medication and forced to delay treatment
- Plaintiff is impaired and no longer able to drive safely
- Plaintiff was confined abroad, unable to return, and threatened with physical harm in writing if he chose to return
- Plaintiff's mother was physically endangered while on a walker and having difficulty breathing

These are not procedural violations. These injuries meet the bodily harm threshold for criminal enhancement under § 241 and § 249. They are **felonies**.

V. FEDERAL AND STATE JURISDICTIONAL CONTEXT

The May 13, 2025 eviction order was **void ab initio** under **28 U.S.C. § 1446(d)**. The state court lacked jurisdiction. Ivy staff and counsel were **notified repeatedly** and proceeded anyway.

The **Sheriff's Office later confirmed** to Plaintiff's mother that **no enforcement was authorized** and they were awaiting **Judge Stivers' ruling**.

Lemons and Benz knowingly **lied to LMPD** to fabricate the impression of a lawful eviction, then excluded all witnesses and seized control of Plaintiff's property without oversight.

VI. RESTITUTION, DAMAGES, AND SENTENCING REQUEST

Plaintiff demands the following financial relief:

- **$500,000+** in immediate and future damages, including:
    - Medical treatment and disability-related costs
    - Loss of vision and driving privileges
    - Emergency security and protective service costs
    - Legal filings, travel, postage, and communications
    - Emotional distress and permanent injury

Damages are authorized under:

- **42 U.S.C. § 3613(c)** (Fair Housing Act)
- **42 U.S.C. § 12133** (ADA enforcement)

Punitive damages are justified based on the **intentional**, **prolonged**, and **hate-motivated** nature of the abuse. A demand forthcoming in this complaint estimates damages, fine, and penalties paid to Plaintiff **that exceed $1.2M <u>before the most recent hospitalization, voided eviction hearing, and unlawful attempts at self-help eviction this week.</u>**

VII. CASE LAW SUPPORTING PROSECUTION AND INCARCERATION

Plaintiff presents binding and persuasive case law below demonstrating that the conduct of Ivy management and its counsel is not only civilly actionable, but criminally prosecutable. Each cited precedent establishes that **similar conduct** — including false reports, obstruction of court orders, coordinated retaliation, and misuse of law enforcement **— has resulted in prosecution, conviction, and incarceration. The parallels to this case are direct and compelling.**

---

1. Baker v. Rice, 671 S.W.2d 241 (Ky. Ct. App. 1984)

Summary: In this case, the Kentucky Court of Appeals held that a landlord who attempted to take possession of rental property without executing the process through the Sheriff was liable for wrongful eviction. Even though the tenant had allegedly defaulted, the Court found that any act of **self-help eviction** is unlawful under Kentucky law and must be prosecuted as such.

Holding: The court affirmed that landlords must proceed through court-supervised enforcement. Any attempt to circumvent this by personal action — such as changing locks, removing belongings, or barring access — is a direct violation of **KRS § 383.195** and gives rise to tort and potentially criminal liability.

Application: Ivy staff changed locks, removed Plaintiff's federal court signage, trespassed his ADA-authorized representative, and seized control of his property **before** the Sheriff executed any writ. They committed a textbook **self-help eviction** with full knowledge of the law. This case establishes **zero tolerance** for such conduct in Kentucky jurisprudence.

---

2. United States v. Brinson, 772 F.2d 365 (7th Cir. 1985)

Summary: Brinson filed a knowingly false police report, which triggered a law enforcement response and disrupted an official investigation. The defendant was charged with making materially false statements and obstruction of justice. The conviction was upheld on appeal, with the court finding that even nonviolent conduct can meet the threshold for criminal obstruction when it disrupts official process.

Holding: The 7th Circuit held that the **act of knowingly triggering a police response through falsehoods** is independently punishable under federal law, even if the accused had no physical contact with the complainant. Brinson was sentenced to federal incarceration.

Application: Ashley Lemons did exactly this. She falsely told LMPD that Plaintiff had "threatened with firearms," despite having an email on record from Plaintiff stating the opposite. LMPD removed witnesses based on her lie. This triggered direct police intervention, obstruction of Plaintiff's rights, and must be charged as felony-level **false reporting and obstruction** under Brinson.

---

3. United States v. Lanier, 520 U.S. 259 (1997)

Summary: In this landmark decision, the U.S. Supreme Court upheld the conviction of a Tennessee judge under **18 U.S.C. § 241** (Conspiracy Against Rights) for abusing his authority to sexually assault and intimidate female litigants. The case clarified that **any person acting under color of law** — even a state judge — can be federally prosecuted if they conspire or act to deprive someone of civil rights that are "clearly established."

Holding: The Court confirmed that the scope of § 241 includes conduct by **private or public actors** who use legal systems to carry out oppression, and that **severe penalties** — including **mandatory prison time** — apply when bodily injury or sustained harm results.

Application: Ivy and Rawn Law used legal process to evict Plaintiff under false pretenses, block medical access, and deny housing rights while Plaintiff was recovering from a stroke abroad. The sustained pattern of retaliation and obstruction directly contributed to **vision loss and medical deterioration**. This qualifies under *Lanier* for § 241 conspiracy and triggers **mandatory incarceration.**

---

4. United States v. McDade, 28 F.3d 283 (3d Cir. 1994)

Summary: In *McDade*, a landlord and his attorney colluded to execute an eviction against a protected tenant without valid legal authority. The attorney filed misleading documents and the landlord trespassed and changed locks prior to any court order. The court held both were liable under **§ 1983 and § 241**, finding that private attorneys and landlords can be liable when they act "in conspiracy with state enforcement agents or through color of law."

Holding: The court imposed both criminal and civil liability for orchestrated legal abuse. Importantly, the attorney's role in **directing illegal action** elevated him to **equal criminal culpability** with the landlord.

Application: John Benz directed the Sheriff, LMPD, and Ivy staff to proceed with property seizure knowing that:

- The federal court had jurisdiction
- No valid eviction writ had issued
- Signs posted under federal law were removed

Benz and Lemons acted in parallel, triggering criminal liability under *McDade* and supporting full prosecution.

---

5. United States v. O’Brien, 972 F.2d 12 (1st Cir. 1992)

Summary: O’Brien used **process manipulation and fraudulent paperwork** to deny another party lawful access to property. No violence occurred, but the defendant submitted false documents, misled public officials, and abused his role to gain unlawful advantage. The First Circuit upheld his conviction under federal obstruction laws, stating that **interference with lawful possession** by deceit is punishable as a criminal offense.

Holding: The court held that “obstruction” includes **fabricating legal authority to interfere with another’s property rights** — and that such conduct, when combined with false reporting or evasion, qualifies for federal prosecution.

Application: Ivy management, in coordination with legal counsel, repeatedly used false legal claims to deny Plaintiff possession, lock him out of his home, and prevent access to his property. They lied about payment, refused to accept funds, and manipulated court officers. O’Brien makes clear: **no violence is required**. What they’ve done already **exceeds the criminal threshold**.

These five cases affirm:

- That **false reporting, obstruction, and legal conspiracy** are not civil infractions — they are **felony crimes**
- That **incarceration is mandatory or non-discretionary** when injury results or official action is triggered
- That **attorneys, landlords, and property agents** are fully prosecutable under both federal and state law

- That **longstanding abuse and medical injury**, as in this case, escalates the severity and triggers sentencing enhancements

The conduct of Ivy management and its agents is not aberrational. It is **exactly the kind of systematic rights abuse** that Congress intended to punish through these laws.

VIII. REQUESTED RELIEF

Plaintiff respectfully demands:

1. **Criminal referral** of Ashley Lemons, John Benz, and involved Ivy agents
2. **Immediate Order to Show Cause** requiring explanation for their false reporting, obstruction, and conspiracy
3. **Declaration by the Court** recognizing that these acts meet federal criminal thresholds
4. Entry of a preliminary ruling enjoining further contact, eviction, or enforcement
5. Leave to file supplemental evidence, sworn declarations, transcripts, and verified audio to support all claims

---

Respectfully submitted,

Daniel J. Feldman, Ph.D. Date: May 21, 2025

8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com
+1 (307) 699-3223
Plaintiff, Pro Se

[PROPOSED] ORDER GRANTING MOTION FOR CRIMINAL REFERRAL, ENTRY OF PROTECTIVE ORDERS, AND EMERGENCY RELIEF BASED ON HATE-BASED RETALIATION & OBSTRUCTION

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES,
HIGHMARK RESIDENTIAL, LLC,
RAWN LAW FIRM, PLLC,
ASHLEY LEMONS,
ALFREDO CARBALLO,
CHRISTIAN BLAKE HEATH,
JARMEL "MEL" HOPSON,
JASON WHITEHOUSE,
MARY BETH WOODARD,
JOHN R. BENZ, ESQ.,
MICHELLE RAWN, ESQ.,
JAYSON FREW,
and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 22, 2025

CHIEF JUDGE GREG N. STIVERS

(proposed) ORDER GRANTING

TEMPORARY RESTRAINING ORDER

TO HALT UNLAWFUL ENFORCEMENT

BY JEFFERSON COUNTY

SHERIFF'S OFFICE

[PROPOSED] Upon consideration of Plaintiff's Motion for Criminal Referral, Entry of Protective Orders, and Emergency Relief Based on Hate-Based Retaliation and Obstruction, and having reviewed the accompanying memorandum, declarations, and exhibits, the Court finds good cause to GRANT the motion and issues the following orders:

1. **Criminal Referral**

   This matter is referred to:

   - The **U.S. Attorney for the Western District of Kentucky**, and
   - The **Kentucky Commonwealth Attorney's Office**,

   for immediate investigation and potential prosecution of:

   - **Ashley Lemons**,
   - **John R. Benz**,
   - and other named individuals acting in concert.

2. **Protective Relief**

   Defendants are hereby ENJOINED from:

   - Executing any writ of possession or trespass orders,
   - Contacting or interfering with Plaintiff's agents, proxies, or family members,
   - Removing Plaintiff's property or entering the premises until further Court order.

3. **Show Cause Hearing**

   The Court issues an **Order to Show Cause** directing Defendants **Ashley Lemons and John Benz** to appear before this Court within 10 days and explain:

   - Why they should not be held in contempt,
   - Why they should not be referred for federal and state criminal prosecution.

4. **Judicial Preservation and Leave to Supplement**

Plaintiff is granted leave to file supplemental declarations, affidavits, and evidence to support this Order and future proceedings. All further action by Defendants is STAYED pending this Court's resolution.

SO ORDERED.

DATED: _____, 2025

Chief Judge Greg N. Stivers
U.S. District Court – W.D. Ky.

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-003961)

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 22, 2025

CHIEF JUDGE GREG N. STIVERS

NOTICE OF FILING

CRIMINAL REFERRAL

FOR HATE CRIMES

TO THE HONORABLE CHIEF JUDGE STIVERS OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

NOTICE OF FILING:

TO THE HONORABLE COURT AND ALL PARTIES OF RECORD:

Plaintiff, Dr. Daniel J. Feldman, pro se, hereby gives notice of the filing of the following documents in support of Plaintiff's emergency motion for criminal referral and protective relief arising from hate-based retaliation, obstruction of federal court orders, and unlawful self-help eviction acts.

These materials respond to events that occurred between **May 20 and May 21, 2025**, and supplement Plaintiff's prior filings and motions already before the Court.

DOCUMENTS FILED:

1. **Motion for Criminal Referral, Entry of Protective Orders, and Emergency Judicial Relief Based on Hate-Based Retaliation and Obstruction**
    - Filed with:
        - **Exhibit I** – Placeholder and Unsworn Declaration of Jo Anne Feldman
        - **Exhibit J** – Plaintiff's May 21, 2025 email rebutting firearm threat
        - **Exhibit K** – Letter to HUD Investigator Grace Walsh
        - **Certificate of Service**
2. **Memorandum of Points and Authorities**

- Filed separately, supports the above motion
- Incorporates Exhibit H (previously filed on May 21) by reference

3. **[Proposed] Order Granting Motion for Criminal Referral and Protective Relief**
   - Submitted for the Court's consideration
4. **Proof of Service**
   - Confirming service of the above filings on all named Defendants and agencies

---

Plaintiff respectfully requests that the Court take **immediate notice** of this submission, enter the requested relief as set forth in the Motion and Proposed Order, and permit supplementation with final declarations, transcripts, and medical verification as needed.

Respectfully submitted,

Filed: May 22, 2025

Daniel J. Feldman, Ph.D.
Pro Se
8809 Denington Drive
Louisville, KY 40222
danieljfeldmanphd@gmail.com
(307) 699-3223
Dated: **May 22, 2025**

Daniel J. Feldman, Ph.D.
8809 Denington Drive
Louisville, KY 40222
(307) 699 - 3223
danieljfeldmanphd@gmail.com

PLAINTIFF, PRO SE DANIEL J. FELDMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY

DANIEL J. FELDMAN,

Plaintiff,

v.

SREIT IVY LOUISVILLE, LLC, d/b/a THE IVY APARTMENT HOMES, HIGHMARK RESIDENTIAL, LLC, RAWN LAW FIRM, PLLC, ASHLEY LEMONS, ALFREDO CARBALLO, CHRISTIAN BLAKE HEATH, JARMEL "MEL" HOPSON, JASON WHITEHOUSE, MARY BETH WOODARD, JOHN R. BENZ, ESQ., MICHELLE RAWN, ESQ., JAYSON FREW, and JOHN DOES 1–3,

Defendants.

Removed from:

Jefferson Circuit Court (Case No. 25-CI-002530)
and Jefferson District Court (Case No. 25-C-00396

U.S. District Court – (6th Circuit)
(LOUISVILLE DIVISION)

CASE: 3:25-CV-271-GNS

DATE FILED: May 22, 2025

CHIEF JUDGE GREG N. STIVERS

PROOF OF SERVICE FOR

MOTION FOR CRIMINAL REFERRAL

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF KENTUCKY:

PROOF OF SERVICE

I, Dr. Daniel J. Feldman, hereby certify under penalty of perjury that true and correct copies of the following documents were served on May 22, 2025, via electronic mail and PDF attachment to all named parties and institutional recipients:

- **Motion for Criminal Referral, Entry of Protective Orders, and Emergency Relief**
- **Memorandum of Points and Authorities**
- **Exhibits I, J, and K (attached to Motion)**
- **Proposed Order**
- **Notice of Filing (this document)**

SERVED VIA EMAIL TO:

Party/Agency	Email
John Benz, Esq.	**john@rawnfirm.com**

Party/Agency	Email
Michelle Rawn, Esq.	michelle@rawnlawfirm.com
Ivy Management – Mary Beth Woodard	mwoodard@highmarkres.com
Ivy Management – Site Email	TheIvyACD@highmarkres.com
Jefferson County Sheriff's Office – Legal Division	mberghaus@jcsoky.org
U.S. Marshals Service – W.D. Ky.	wdky-info@usmarshals.gov
HUD – Grace Walsh	grace.walsh@hud.gov
Jefferson District and Circuit Court Contacts	jeffcodistrictcourtadmin@kycourts.net; brionayoung@kycourts.net; ramoneblair@kycourts.net; lesliedavis@kycourts.net; ashleyvickery@kycourts.net

All recipients had previously been served in this matter and are parties of record.

No emails were returned undeliverable as of the time of this filing.

Respectfully submitted,

Executed on: May 22, 2025

Location: Louisville, Kentucky

Daniel J. Feldman, Ph.D. Date: May 22, 2025

8809 Denington Dr
Louisville, KY 40222
danieljfeldmanphd@gmail.com

+1 (307) 699-3223
Plaintiff, Pro Se

May 23 2025 Call to KY Western District Clerk Tracy confirming no service

00:06 Jo Anne
Hello, my name is

00:08 Jo Anne
.

00:10 Jo Anne
.

00:12 Jo Anne
.

00:14 Jo Anne
.

00:16 Jo Anne
.

00:18 Jo Anne
.

00:20 Jo Anne
.

00:22 Jo Anne
.

00:24 Clerk Bot
If you are trying to reach the United States Bank Pressing Corp, please sign up and dial 502-627-5671-00.

00:24 Jo Anne
.

00:26 Jo Anne
.

00:28 Jo Anne
.

00:30 Jo Anne
.

00:32 Jo Anne
.

00:35 Clerk Bot
For questions regarding jury service, please press 2.

00:39 Clerk Bot
If you have questions about the U.S. country of your city, please press 3.

00:45 Clerk Bot
If you would like to contact the United States Federal ...

00:49 Clerk Bot
Wait for a transfer your call.

00:59 Clerk Bot
... to one of U.S. District 4 trains in Twin Houses...

01:02 Daniel
Hi, Tracy. This is Daniel Feldman and my mother, Joanne Feldman. How are you this morning?

01:08 Tracy clerk
I don't care if I have sex or not.

01:10 Daniel
Well, I was talking with Mindy the other day, and I paid the filing fee under duress

01:18 Daniel
because I was never served the order that it was denied.

01:23 Daniel
And when I hear back from the sheriff yesterday, the sheriff called my mother yesterday afternoon

01:27 Daniel
and said that Judge Stivers had ruled and denied my claim.

01:33 Daniel
And the problem is I have not been served any of that,

01:36 Daniel
and I have like seven or eight motions before him,

01:41 Daniel
and I don't know which one was denied, what it was denied, what it says, anything.

01:47 Daniel
So I really need somebody to help me understand a little bit

01:50 Daniel
why the sheriff's office is saying it's been remanded back to the state court

01:54 Daniel
when I have emergency filings in there demanding criminal referral and show cause for felonies.

02:04 Daniel
And I've not had any.

02:06 Daniel
Anything is served to me.

02:24 Tracy clerk
for state, uh, state proceedings, motion for leave to proceed in the form of powers,

02:33 Tracy clerk
abolishing murders, motion to enforce federal removal, and enjoin unlawful state enforcement

02:40 Tracy clerk
from the guy. Plans and claims are dismissed. The clerk shall strike this letter from active

02:51 Daniel
Well, I filed yesterday, and are those filings even there on the docket?

03:00 Tracy clerk
It looks like on 5-21, the filing fee was paid, and also second supplement emergency motion to enforce federal jurisdiction, prevent unlawful eviction, and refer criminal conduct to U.S. attorneys.

03:20 Tracy clerk
This is by Daniel Feldman, proof of service, and a memorandum of support notice of file and teller letter.

03:39 Daniel
Right. See, well, you know, it's crazy because, you know, I mean, I thought for all of these emergency motions, there's not been anything referenced in any of the denials in the other courts either.

03:51 Daniel
My mother was there, 81 years old, on a walker. Now, they had trespassed all my representatives and tried to proceed on an unlawful order.

04:00 Daniel
Now, they tell that they say I have to be evicted and I can't have any representatives present.

04:05 Daniel
They trespassed my 81-year-old mother for no reason. They called 911 with a false police call and said that we had threatened violence.

04:13 Daniel
My mother was COPD on a walker. Now, I have referred them for criminal referral because they've done this for over three years.

04:21 Daniel
And every time, they've been shown to be improper. And this time, the court is allowing them to trespass my mother, my other representative that was there packing up things.

04:32 Daniel
They say I have to be evicted with no supervision.

04:35 Daniel
I can't be present because I've been in the hospital with a stroke.

04:39 Daniel
I've asked for ADA accommodations. They weren't granted to me from anyone, anywhere.

04:45 Daniel
And so, this is the problem.

04:48 Daniel
I have now, the judge, the sheriff's office is now telling me that I'm going to be evicted on Tuesday at 1 p.m.

04:56 Daniel
Well, I can't have any, my mother there, I can't have anyone supervising who's taking my stuff.

05:04 Daniel
My stuff has been devalued.

05:05 Daniel
Robbed. My place has been robbed.

05:06 Daniel
They took off, before the sheriff got there, they took my doors off.

05:11 Daniel
I had to file police reports for everything being stolen because before I was even evicted, before the eviction went through, they removed my doors and just let her free for all.

05:23 Daniel
So, it's been, it's been crazy.

05:26 Daniel
So, right now, they're going, so Judge Stiver's actions is going to allow eviction after they've already evicted me.

05:35 Daniel
They've already taken my doors off, or the doorknobs, and made my place completely unsafe and told me I can't have anyone present because even my mother on a walker, who has a letter authorizing her to be there on my behalf.

05:47 Jo Anne
I had a public escort.

05:50 Daniel
Sheriff, please escort. My mom is escorted.

05:53 Jo Anne
30 minutes and escorted me out of the building.

05:56 Daniel
so i can't have anyone even go over to remove my belongings now even over the weekend because of

06:02 Daniel
this ruling that did not cite not a single page of over 500 pages of evidence of criminal conduct

06:12 Daniel
and fraudulent behavior ada recombination was sent to three courts to district court to circuit

06:18 Daniel
court and now this court so now the only option i have left i have filed an emergency writ of

06:25 Daniel
mandamus to review judge steiver's conduct and ruling in this case and i'm taking that to the

06:33 Daniel
sixth district and i'm also well i'm removing this case to dc so i'm going to i'm going to refer it

06:40 Daniel

up to dc and i'm also filing a special writ of mandamus with the u.s supreme court this morning

06:47 Daniel
i'll guarantee you judge steiver's behavior because i was extorted out of 500 the other day

06:54 Daniel
because i was never even

06:55 Daniel
served the denial of the ifp i was not to serve just serve the orders or the denial of these

07:02 Tracy clerk
Sorry, you mentioned extra $500, are you referring to the...

07:08 Tracy clerk
Thank you for watching.

07:10 Daniel
No, no, no, I'm referring to the filing fee, the filing fee, because I was never provided the order when he denied it.

07:19 Tracy clerk
I was not

07:20 Tracy clerk
and we gave you the ability to pay it

07:23 Tracy clerk
or to wait until the judge ruled.

07:23 Daniel
I know.

07:25 Daniel
Well, maybe, maybe, maybe not.

07:26 Tracy clerk
Lindy, Lindy, Lindy, Lindy, Lindy.

07:29 Daniel
might then also

07:32 Daniel
Well, yes, I filed an IFP and I was not served the order back.

07:35 Daniel
I was not served the order of denial.

07:38 Clerk Bot
process as I've told you to.

07:40 Daniel
That's okay, but I need to talk to Mindy again, because Mindy-

07:44 Clerk Bot

millions in a meeting.

07:45 Daniel
Well, Mindy told me the other day, for all this was going on, and I need to find out from her a little bit about, because she told me that she was going to put these before Judge Stivers, and whether or not he actually considered any of the pleadings, or he just denied them outright.

08:01 Daniel
And the reason I need that, because I don't have, I've not been served the outcome, and I have to file an emergency today, because of the eviction, I can't even be present, they're evicting, they already evicted me, which should make it unlawful for them to continue to use the sheriff, because it's a self-help eviction now.

08:22 Daniel
But I have to file a writ of mandamus to review Judge Stivers' decision, and I can't have, I don't know what the decision is, because I've never been served any of these denials.

08:33 Jo Anne
Tracy, is it possible to email them those decisions?

08:39 Tracy clerk
No, we don't email orders. We mail on mail.

08:44 Tracy clerk
Boston, that takes a week.

08:46 Daniel
Right? And this is an emergency order.

08:49 Clerk Bot
He has never received anything yet from the district court.

08:56 Clerk Bot
I've never been served in order.

08:57 Jo Anne
I don't think so.

09:00 Clerk Bot
is that there's a procedure for it, and the judge generally has up to 90 days before

09:07 Daniel
Right, but it's an emergent order, Clayton. It's an emergent order. It's emergent.

09:09 Tracy clerk
That's a merchant.

09:11 Jo Anne
This is urgent.

09:12 Clerk Bot
Apparently, Mindy must have put it before Judge Divers if he proved on it already.

09:19 Tracy clerk
Because generally it takes up to 90 days before the judge rules.

09:22 Daniel
But that's why there's emergent orders.

09:24 Daniel
That's why I put emergency on the front of seven orders.

09:27 Daniel
I have seven emergency orders.

09:29 Tracy clerk
I think what's happening is because it's being put before, I think you're thinking that you're going to get that answer.

09:39 Tracy clerk
Although it's put before him, he still rules in the direction he's going to rule.

09:45 Daniel
Right, and that's why I'm following up with Brandon Van Damus to review his conduct.

09:50 Daniel
So, I don't know the conduct.

09:51 Clerk Bot
I

09:52 Tracy clerk
put it before him that it's going to, you know, be rooting your favor.

10:00 Daniel
Well, I'm not asking for that. I'm asking for a ruling that uses my documented pleadings and doesn't just say denied without reading anything.

10:09 Daniel
and the problem is

10:10 Tracy clerk
It does state that in the order.

10:16 Tracy clerk
That's been mailed out to you.

10:18 Daniel
Well, that's not going to help me with an emergent.

10:21 Daniel
I'm filing an emergent order, and I'm going to skip right to the U.S. Supreme Court

10:27 Daniel
because I filed all of this on there is no 14th Amendment civil right.

10:32 Daniel
There's a difference between if you're represented and you're not represented

10:36 Daniel

in terms of how you can file, where you can file,

10:40 Daniel
and whether or not clerks will review or gatekeep for the judge.

10:45 Daniel
And it's actually written on the court website and in the rules themselves

10:52 Daniel
that say pro se litigants cannot file electronically.

10:57 Daniel
They can in this case, but they don't get fair review

11:00 Daniel
because there are specific procedures that pro se litigants have to follow

11:06 Daniel
separate than representative party.

11:07 Daniel
That is a 14th Amendment violation, and it's even present at the U.S. Court of Appeals 6th Circuit,

11:14 Daniel
which is now broken.

11:15 Daniel
I can't remove it. It's already been denied, but that's a new case.

11:20 Daniel
I'm filing today a writ of mandamus to review Judge Stiver's behavior,

11:25 Daniel
and I'm also putting it to the U.S. Supreme Court

11:29 Daniel
because the same violation is present at the 6th District

11:33 Daniel
that says pro se litigants must file in paper and must mail in their documents,

11:40 Daniel
whereas if I was a represented party, I could electronically do it.

11:45 Daniel
It's against the 14th Amendment, and the reason I'm losing my home,

11:49 Daniel
all of my belongings, is because the courts treat people differently

11:54 Daniel
whether you have a lawyer or not.

11:56 Daniel

And the one thing I've heard, and I really appreciate that you, Tracy, have not done this, but I've heard it from so many other clerks, they say, get a lawyer.

12:06 Daniel
And that would be really nice.

12:08 Daniel
I sat there during eviction hearing, what, 30 people get evicted and not one of them had a lawyer because there's only four tenant lawyers in all of Louisville.

12:15 Daniel
And I watched Mr. Benz, that lawyer, every landlord was represented and every tenant was unrepresented.

12:21 Daniel
And if they're not represented, it doesn't matter if they're disabled, it doesn't matter if they're a little old lady on a walker.

12:27 Daniel
You have to manually go into the court and file this in state court.

12:31 Daniel
And you can only do it within certain hours.

12:33 Daniel
And the attorneys can sit at home and push buttons and not even get dressed.

12:39 Daniel
And they can do it at any time of day.

12:41 Daniel
And that means the 14th Amendment does not exist.

12:44 Daniel
I filed a civil rights complaint that was ignored by Judge Stivers.

12:49 Daniel
And so now I have to file two writs of mandamus, one in the 6th Circuit and one, well, one, I actually,

12:57 Daniel
I went up to Washington, D.C. I moved to Washington, D.C.

13:00 Daniel
And then I'm also the second one at the U.S. Supreme Court, a very special case of a writ of mandamus

13:05 Daniel
when due process is absolutely denied, which is the case now of what Judge Stivers has done, preventive due process.

13:17 Daniel
And so that's why I'm asking for them to review.

13:20 Daniel
I need to get the orders to include in this emergent writ of mandamus.

13:24 Daniel
But unfortunately, that's the problem.

13:26 Daniel
I'm going to say they've never been served to me and they refused to email them to me.

13:29 Jo Anne
you know

13:30 Daniel
So therefore, even in an emergent situation.

13:34 Daniel
I don't have, I've never been served the answer, and therefore I'm just having to make a yes at what they said.

13:43 Daniel
That's not accurate, not true, sir. We've mailed out to you yesterday.

13:45 Daniel
Well, that's great, but I don't have it today. I need an emergent order. They're going to evict me before I get that letter, Tracy.

13:52 Daniel
You mailed it out yesterday.

13:54 Daniel
I'm going to be evicted before I get that letter.

13:57 Daniel
But it doesn't matter. I have to file today, right now, and I can't do it because I don't have the order.

14:03 Daniel
Because in order to prevent it...

14:05 Jo Anne
Exhibition on Tuesday.

14:07 Clerk Bot
I don't get the mail the very next day.

14:11 Jo Anne
We still haven't gotten the order of denial from the IFP, which is...

14:14 Jo Anne
And that's the real process. We have nothing to do with it.

14:17 Daniel
Oh, you have nothing to do with the 14th Amendment, Tracy.

14:20 Daniel
You have nothing to do with the 14th Amendment because it doesn't exist.

14:27 Jo Anne
We cannot email it.

14:30 Daniel

Oh, I know. Well, that's why I'm putting in the writ of mandamus that they say they cannot email the order to me.

14:39 Daniel
And that's the reason I'm leapfrogging to the United States Supreme Court today to ask them to review Judge Stivers and this court's behavior.

14:49 Daniel
And so that's what â€“ but I'm trying â€“ it was a last-minute try to get a copy of the order so that I could attach it, but I can't do that.

14:57 Daniel
And that's the whole point of my civil rights violation.

15:00 Clerk Bot
Yes. I'm going to have to go here in a minute. But Tracy, I just wanted to say, the sheriff called me as soon as he got the order yesterday, and he got it electronically.

15:13 Clerk Bot
So do you see where there's a difference? And if you have a lawyer, if he hadn't called me, I would not have known. Sergeant Perry in the Sheriff's Department.

15:24 Daniel
if a tool yeah we would again i would just be evicted on tuesday and have it and i'm still coming

15:33 Clerk Bot
me and just said it was tonight he didn't know anymore but yes and other people forget it

15:40 Clerk Bot
electronically it is not right that pro se

15:46 Daniel
Well, in the mail, honey, it doesn't cut it because it's different for different parties.

15:56 Clerk Bot
No, it's not different from different parts.

15:57 Daniel
It is, when the sheriff can get it electronically and I can't.

16:03 Daniel
I have an emergent order, Tracy.

16:05 Daniel
I have an emergent order, and you can't provide an emergent response.

16:10 Clerk Bot
Dan, I have to go. Can I say something?

16:14 Clerk Bot
Gracie, was that sent electronically to the attorney?

16:21 Clerk Bot
Oh, he doesn't have an attorney on his case.

16:25 Daniel
No, it was...

16:26 Clerk Bot
The other side.

16:26 Daniel
the other side.

16:28 Daniel
the other side.

16:29 Clerk Bot
balance okay the opposing attorney did mr ben get the uh notice electronically or was his

16:42 Clerk Bot
also put in the mail i'm not sure was that address provided on the on the uh notice of removal

16:53 Daniel
Well, I...

16:54 Clerk Bot
Yeah, Mr. Vance has an address.

16:56 Daniel
Yeah, I'm a nurse of the Louvre and I'm a summonsist.

17:00 Clerk Bot
Oh

17:02 Clerk Bot
But it's probably won't work, thanks.

17:07 Clerk Bot
The fee was just paid yesterday, so the sum is, the judge's rule on the sum is now that the fee is.

17:15 Daniel
Well, yeah, but so my mom's question still stands. It's valid.

17:19 Daniel
Was John Benz emailed, was John Benz ordered, was he emailed the order?

17:24 Clerk Bot
I doubt it. It was probably mailed out just like yours.

17:29 Daniel
So how does the Ivy know already that I'm going to be evicted on Tuesday at 1 p.m., but I don't know?

17:34 Clerk Bot
I got you.

17:36 Daniel
My apartment complex. How did they know that I was going to be evicted on Tuesday?

17:41 Clerk Bot
It's really based on whatever happened in state court.

17:44 Daniel
No, no, no, no, I'm not a...

17:44 Clerk Bot
No, no, no.

17:45 Clerk Bot
I'm not a part of that.

17:46 Daniel
no it's part of judge steinberg part of what happened with judge steinberg yesterday

17:51 Tracy clerk
It rebranded back to the district court for them to notice that, everybody.

18:00 Tracy clerk
The judge, all I can provide to you is what's in the system,

18:04 Tracy clerk
and the judge's diverse order, but yesterday,

18:07 Clerk Bot
the plaintiff's ADA request and motion for remote appearance,

18:12 Tracy clerk
emergency motion for temporary restraining order,

18:15 Tracy clerk
and motion for stay as state proceedings,

18:18 Tracy clerk
motion for leave to proceed in formal process,

18:22 Tracy clerk
and emergency motion for enforced federal removal

18:26 Tracy clerk
and enjoined unlawful state enforcement are denied.

18:31 Tracy clerk
Plaintiff's claims are dismissed.

18:32 Daniel
Claims are different.

18:35 Tracy clerk
The claimant is missed with us.

18:39 Daniel
Yeah, so that's what they say. He doesn't reference any of the content of any of the pleading, right?

18:45 Daniel
And, but my mother's question is still valid.

18:49 Daniel
How does the ID, did the ID find out because...

18:52 Tracy clerk
I have no idea about that. All I can provide you guys with is the information that I have before me in our system.

18:59 Tracy clerk
I have absolutely nothing to do with the complex.

19:03 Jo Anne
Of course you do.

19:04 Daniel
Of course you did, because...

19:06 Tracy clerk
Yes, yes, yes.

19:07 Daniel
Yeah, it's just, okay.

19:08 Jo Anne
I can't believe it.

19:09 Daniel
I know. And I need to talk to Mindy because I need to find out.

19:12 Tracy clerk
She's in a meeting. If you'd like to call her back, Mr. Feldman, please feel free to do so.

19:17 Daniel
So when should I try that?

19:19 Tracy clerk
You can try that, do that.

19:21 Tracy clerk
You can try it in 30 minutes.

19:23 Tracy clerk
She's in a meeting and it's probably going to last at least an hour.

19:26 Tracy clerk
And it started at 9.

19:29 Daniel
Okay, alright, so I'll do that.

19:31 Jo Anne
I really appreciate your help.

19:34 Tracy clerk
Thank you, guys.

19:39 Daniel
I appreciate it, too.

May 23 2025 Calls to western district, unlawful trespass, filing fee paid, no service

00:00 Federal Court bot 1
Please listen to the following options. If you are attempting to call the Jefferson County Circuit Court, please hang up and dial 502-595-4932. From the Jefferson County District Court, please sign up and dial 502-592-4475. If you are trying to reach the United States Executive Board, please sign up and dial 502-627-5700. For questions regarding jury service, please press 2. If you have questions about the U.S. Attorney's Office, please press 3. To look up your case using the United States Federal Reports Pre-Wish Case Inclination System, press 0. For all other questions, please press 4 or stay on the line. Thank you.

01:11 Daniel
Hi, Tracy. This is Daniel Feldman. I called. We've talked several times and you transferred me to your supervisor the other day. It was super nice. You were both very helpful with the information you gave. Right now, my mother has been forcibly removed out of my property with even, you know, with and trespass.

01:31 Daniel
There's been no one allowed to be there while they're to supervise any of the sheriff is at my apartment right now, removing all of my belongings while I'm in the hospital. And they forcibly removed my mother off and said that she can't be there to supervise it or anyone allowed to even take any of my things.

01:50 Daniel
This is so I need what I need to do. I spoke with your supervisor last week or the other day. She was really helpful. And she also told me that Judge.

02:01 Daniel
Cypress was making a ruling that day. I never saw a ruling and I need I need help right now.

02:09 Daniel
I filed another motion. It's the fourth emergency motion for a temporary restraining order.

02:14 Tracy Clerk
And I filed it again this morning. They've been docked. It's 3.25 CV 271 GNS.

02:41 Daniel
He's been ordered in by God. Oh, he didn't make an order or he did not? pertaining to your motion, your request to proceed without payment and it looks like

03:14 Daniel
Thank you.

03:18 Tracy Clerk
The request to proceed without payment that has been denied. You have to pay the 405 filing fee.

03:27 Daniel
Okay, can I do that right now?

03:29 Daniel
I mean, how is... I don't know what to do.

03:37 Tracy Clerk
I don't know what to... You have 30 days from the date of his order to pay it. Boom!

03:47 Daniel

Oh no, can I pay it right now?

03:49 Daniel
Can I give you a credit card number? Yeah, you can, but it doesn't, I think what you're thinking, if you do that, then something's going to happen today.

04:01 Daniel
no i understand that i would have paid this before but i mean i i i i thought he was making order in this case, and I just lost all of my belongings. I know. It was the payment issue, so I just told her that the other day, and I told you all that. No, I understand. to your supervisor again she was so helpful the other day and right now there's an emergency going on there's Hello?

05:04 Daniel
Hello?

05:16 Daniel
Hello? Hello?

05:48 Daniel
Hello? I don't know. Hello?

06:06 Daniel
Hello?

06:16 Daniel
Hello?

06:20
Hello? Hello?

06:22 Speaker 14
I'm waiting on her to respond. Oh, okay. But it looks like she

06:24
Oh, okay.

06:27 Speaker 14
might be in a meeting. So let me know if she can respond.

06:31 Daniel
Thank you. Thank you.

07:24 Daniel
I don't know what to do, mom. I don't know what to do. I don't know what to do.

07:47 Tracy Clerk
I don't know what to do.

08:02 Speaker 7
I don't know what to do. I can't do anything. I can't.

08:04 Tracy Clerk
I can't do anything, I gotta...

08:42 Jerry
Hey, they've given us 30 minutes to get out of here. We're doing our best to get these panels.

08:47 Daniel
Okay, um...

08:49 Jerry
Well, yeah, they're gonna tow our cars. if we're not out of here in 30 minutes.

08:54
This is completely unlawful, and you can't have a...

09:02 Jerry
The officer suggested calling two men in a truck and having them be over.

09:09
Yes, they have to allow someone to supervise this move.

09:15 Jerry
I can't be in the apartment. I'm going downstairs. I'll have to do something. Go figure that out.

09:22
Okay, so I'm recording all of this as well.

09:27 Jerry
Jerry, Jerry, sign to get your painting. One of them was broken. The glass was all broken.

09:37
Well, that's okay. I don't care. I mean, I'm on the phone. I'm on the phone with the federal court. What she says that the judge denied my payment option that I should have my non-payment option. And therefore, so I should have paid it just exactly like I said, I should have paid it. And so now, even if I got it paid now, they're not going to do anything. I'm going to hold, wait for them 10 minutes out of this whole thing. I can't believe it. I can't believe it. This is, this is, this.

10:12 Daniel
Thank you.

10:14
Yeah, sure. She won't be.

10:16 Daniel
She won't be-

10:17
No, I can't call back. I am under, my mother is being trespassed and forcibly removed. There's no one to supervise any of my things being removed right now. They told me we're not allowed to be in the apartment or to supervise the shit.

10:31 Speaker 14
has been is no one else. you're requesting to speak with will not be available for another five minutes that's fine

10:37
That's fine. That's fine. I don't mind. I can wait for five minutes. I can totally wait. I would rather wait. Thank you. Thank you, Tracy.

10:45 Jo Anne

Thank you, Chase.

10:48
So that's Tracy. She's saying that their supervisors in a meeting and won't be available. And even and all the judge was ruling on was on the the the the pauper's thing and he denied it for some reason. I don't even know. I didn't even get a notice about it. We've had no, as you know, this is totally a long, everything about it.

11:10
Um, so all we can do right now is document. So just document everything. Keep your phone on record. Keep your phone recording. Is Jerry there with you?

11:23 Jerry
She's out in the hall. We're trying to get these pictures.

11:25
Okay, ask Jerry to just start recording.

11:28 Jerry
There's a couple that we cannot get to.

11:35
Well, we'll press, you just go on your camera and hit video, record, and record, and I'll talk to you in a little bit, just get those things if you can, and leave your phone on record to record any interaction, and it's unlawful that they won't let us even supervise a move out, that is insane, and the sheriff's office has caused this problem, I mean, it's so disgusting.

11:58 Jerry
If you were here, you could, but I'm not allowed on the property.

12:02
they know that that they know that that's completely ridiculous because they know that i'm i'm i'm not in the country no i i'm on the phone with the district of kentucky waiting on the phone on hold waiting to speak to that woman the supervisor with the with uh judge stivers so i need to talk i can't believe that all of this is the this is the stick this is what gets to happen so again well i wish i could get my costumes and stuff i can't get any of that i can't get anything so they're going to take everything we need to document to just as film as much as you can um

12:48 Jerry
pictures the very thing i think they will not let me in the building and they don't want me to stay on the ground so i cannot video

12:56
don't don't let them know that there's a security camera up there and if you see jason if you see

13:03
jason that he need you know demand that he'd be arrested but he he's the only one who knows that security camera's up there and i'm going to record so i can use that to record at least i mean it's you know what i mean again we just have to let it all go and i lose everything and i'll have to just i mean she he said because because the ifp wasn't approved my entire case is being thrown out all of my final ones

13:39 Jerry
What if I go down and pay the $405,000?

13:41
Well, that's what I'm doing on the phone with her right now. That's what I wanted to do the other day. I said, let's do that. I should have done that. I should have done that, and not, I, and it, it doesn't get more.

14:04 Jerry
anything else right now that you need well

14:06
Well, let's call a team in with a truck and get someone there. I'm so upset that I've been calling all morning for an officer to be there to supervise the move, and they won't even allow that. I want the sheriff to get there and say that you record on camera, say that there's no one here to supervise the move, that there's no one allowed. How can they trespass someone from being there? You have my authorization to be there on my behalf. Well, I know they said that, but tell the sheriff that. Tell the sheriff that, when the sheriff gets there. Someone has to be allowed to supervise.

14:48 Jerry
Dad's trying to get two minutes. That officer was very nice.

14:53
He was.

14:54 Jerry
He wanted you to talk with Ashley before.

14:59
Oh, I know, but we know what was going to happen.

15:01
They were going to say no. She was a total, she's a total bitch, man

15:06 Jo Anne
She's out of control, bitch.

15:07 Jerry
Oh, she is. She is.

15:13
So, just...

15:14 Jerry
some patchouli corn and all of it.

15:17
I'm recording as much as I can. I'm recording right now. I'm recording my phone call with the district court. I'm recording you. I'm recording this.

15:25 Jerry
Okay, see if I can run down with $405.

15:29
No, I'm paying that on the phone with my credit card.

15:34 Jerry
Oh, okay. Okay.

15:37
They don't need to do that. But I'm trying to get, you know, he's not going to rule on anything just because it's paid, is what Tracy's telling me. And, you know, and that's what we knew. And I should have paid that win. I mean, I don't

know if it would have made any difference. Because this whole thing is just completely, I can't believe how unlawful the whole thing is.

15:59 Jerry
We have to do something. We can't just talk.

16:03
We'll just move, hang up the phone, put your phone on record and just leave it on record, on camera record.

16:12 Jerry
Leave my phone in here.

16:14
no just leave it on record and record everything when you hang up the phone with me put it on camera like you're going to take a picture and put it on video record and just leave it going so that any re any recording of any phone interaction any interaction i also gave you a script to tell the sheriff when he arrives and someone needs to read that script to him on camera

16:47 Jo Anne
Well, it's what has to happen.

16:49 Jerry
I don't know, Danny. I don't know. Dan's trying to get two men under Trump here.

16:54
I know that. I sent you a script. Someone needs to tell the sheriff that when he arrives.

17:01
Did she take the notice down off the door again?

17:06 Jerry
No, they like to notice, but it doesn't make any difference.

17:10
Well, I know, but it does make a difference because it alerts the sheriff when he gets there that they're doing something unlawful.

17:20 Jerry
uh i couldn't get two little ones back there but i've got these and um Yeah, those sheriffs here are escorting us out, man.

17:38 Jo Anne
Okay.

17:40
Is the sheriff right there?

17:42 Jerry
No, that's it. No, they're on their way. I'm just trying to get two men in the truck. I don't know if we can.

17:51 Jo Anne
Oh, yeah, I know.

17:52 Jerry
I need

17:56 Federal Court bot 1
I don't think we do it.

17:57 Jerry
I'm Rich Grafton.

18:00
Well, no, I mean, this is completely unlawful and, but I need someone to read that script to the sheriff when he shows up. Jerry, would you be comfortable reading a script? It doesn't have, you don't have to wait for.

18:14 Speaker 12
You don't have to wait for.

18:17 Jerry
Oh, I can't hear you now, Dan.

18:23
Oh, I'm here.

18:25 Jerry
here see if that's it the little ones up in there

18:31
I'm going to repost the script back on here, but it's unlawful for the sheriff to allow a move out that's not supervised. They have no reason to shit, to, to do this. Now I'm going to copy that script again. When was this? This is nine Oh three. No, no, no.

19:02
Last night.

19:07 Jerry
officers helping carry some things down.

19:11
well i appreciate that the officers have been super nice okay i'm going to repost this again i'll i'll send it so basically on dr feldman's mother i'm here on his behalf this apartment storage unit are under active federal court protection the case is case feldman ivy three two five and and it's that's all still valid the property is subject to federal jurisdiction enforcement of any eviction today will be in violation of federal law the sheriff's office was served with notice and finally drawn record with u.s district court

19:53 Mindy Stivers Clerk
spring

19:58
They cannot trespass my legal representative.

20:15 Speaker 7
Oh, thank you, thank you.

20:22
Jerry can say that he's there with a truck to remove my belongings and they will let Jerry stay there or you can tell them that you're removing my belongings and they have to let you stay there. They cannot just say I can't have anybody there to take my things as the sheriff puts them out on the street. They can't do that.

20:49 Jerry
I don't know Danny, I'm not the law.

20:51 Jo Anne
Well, I know you're-

20:51
not the law but they can't do that they have to the sheriff is supposed to provide a supervised move out how can you have a supervised move out when you won't allow a representative there on my

21:05
behalf you can't and and i if you have someone there with a truck by law the sheriff has to allow them to remove it to the truck you

21:16 Jerry
Can you set it sideways?

21:23 Tracy Clerk
Thank you.

21:26 Jerry
Yeah, oh, that's fine. Take it. Take it.

21:35 Speaker 7
Are you going to put it back on or will you need it?

21:46 Jo Anne
And so I'm still waiting for the Western district of Kentucky.

21:55 Jerry
I'm putting them in the truck and I need to weigh four of them.

22:02 Jerry
Well, how are they supposed to get in?

22:11
how can they not be on the property um officer can i just ask you a question how can how can i be trespassed off a property during a supervised move out from the sheriff if my representative can't be there and i'm out of the country

22:25 Federal Court bot 1
You can have a representative for you to get a count of the items. Not in a lawful manner. But if you've been fat-fat and they sit in front of me, to your mother and other gentlemen, then they're not supposed to be here? Well, this is my...

22:39 Daniel
Literally.

22:40
She's my mother. She's my legal representative.

22:44 Federal Court bot 1
i'm the representative okay i got that they don't want you on properties you tread as you so

22:50

Okay. Oh, yes. Hi, my name is Daniel Feldman. I'm so sorry. I spoke with you the other day. And right now, all of my belongings are being removed. I have filed three emergency motions.

23:00
And, um... I understand. They're trespassing my mother.

23:09 Jerry
1, 2, 3, 4.

23:12
The sheriff's officers, the state court, the state. This has been removed to federal court.

23:19 Jerry
Bring them in front of me, and we're going to bring them in front of you.

23:23
Yes, and he said that I can't have a representative there, and they said that I can't, that I'm not allowed to have any representative on the property, I'm not allowed to have a truck there removing my belongings, which they're doing. They actually, last night they removed the doors on my property before the eviction order, before the sheriff even showed up. I called and filed that my apartment had been looted and robbed, and that they were actively doing it, and they refused to secure the property. And so, and they evicted a move out, an eviction, before the sheriff even got there. And now my mother's being trespassed off the property, so no one is there to supervise my move, no one is allowed to be there to supervise my move.

24:07
Or to even take my garages as they're pouring into the street.

24:10 Federal Court bot 1
So that's in a 303.

24:15 Jerry
Did I save your... And the court has ruled and has found a murder that you have to take part in the case. This is what I'm going to review tonight.

24:27
I told them I would pay that, you know, before. I've got my credit card, and I'm really, I was willing to pay it last week, but I thought, I didn't get an order that had been denied. So anyway, I don't, I don't have a credit card.

24:41 Jerry
Is she the liar one? Yes.

24:45
Absolutely.

24:46 Jerry
It's a custom video.

24:49
sure sure okay i'm just on the phone with this with the lmpd and my mother right now who's being trespassed so i've got two things going on i'm so sorry

25:00 Jerry
Okay, yeah, I'm going to keep that to me, okay? I'm going to keep that to me. All right, I see. I want to get John to read again today.

25:11 Daniel
Yes, okay.

25:12 Jerry
Okay. Wait a minute. Wait, it's not recording. I'm sorry. can't record videos during calls i've got to get off the camera yeah

25:30 Daniel
Okay, I'm sorry, Mom. I'm sorry.

25:34 Daniel
Yes, and my mother, my mother's on a walker with C-O-P-D, and they just pushed her off the property. I just can't, I just can't believe this is what happened. Okay, I'm sorry, but my mom is 81 years old, and she's being pushed around right now on video. It's really disturbing. Yes, I'm sorry.

26:00 Daniel
I don't understand, so call back at this number. I just can't believe it. I just can't believe it. I can't believe this. I just can't believe this is happening. My mom, I'm so sorry, mom. I'm so sorry. I'm so sorry, mom. Oh, my God.

27:04 Daniel
I can't believe this. I can't believe this. I can't believe this is what happened.

27:26 Daniel
Oh Ha, ha, ha, ha, ha, ha.

27:30 Daniel
I don't know what to do. I just can't believe it. I can't believe it's what they do. I can't believe it's what they do. I can't believe it's what they do. I can't believe this is what they do to people every day. I can't believe it.

28:02 Daniel
I just can't believe this is what happens. I can't believe this is what happens to people. It's just horrible. I can't believe it. It's just my mom. I can't even breathe. I don't know what to do. I don't know what to do. I don't know what to do. I don't know what to do. I don't know what to do. I don't know what to do. I'm so sorry, Mom. I can't believe this is happening. I can't believe it. I can't believe this is happening. I don't know. Am I supposed to call them right now?

29:02 Daniel
I don't know. I don't know. I don't know what to do. I don't know what to do.

29:12 Speaker 7
How am I supposed to go back? I don't know. I don't know what I'm supposed to do. I don't know. I don't get these things. Oh, Father.

29:32 Speaker 12
the United States Veterans District Court for the Western District.

29:46
I just can't believe it.

29:53 Daniel
I can't believe it Hi Sherry

30:00 Daniel
my name is Daniel Goldman and I was just speaking with hold on hold on

30:09
there hold on i'm on this call she told me i have to call back and i have to pay the filing fee for the judge for judge stivers right she said call back this number and like provide a credit card number

30:25 Jerry
Oh, wait a minute. Let me get up.

30:29
But you can stay on here, Mom. It's okay.

30:32 Jerry
Wait a minute.

30:34
You don't need a pen.

30:38 Jerry
How do I call somebody without writing down the number?

30:41
No, no, I'm on the phone with them right now. I'm paying the card. Oh, I can give you my card. No, no, it's okay. I just am on the phone with them right now. Hold on, I've got two people talking. Just hold on a second. I don't, I just can't, I can't believe this is what happened.

31:04 Jerry
Well, we should have worked on it sooner.

31:07
Well, I should have paid that. I knew I should have paid it. I mean, this is what they do to people.

31:12 Jerry
what they do to people. I'm sorry, I'm sorry.

31:17 Daniel
I knew it, I knew, I mean, this is what has happened people, I can't believe this, I can't believe it. Ma'am, are you still there, I don't know if anyone's here.

31:33 Mindy Stivers Clerk
What is the millionaire associated with the cards you're using?

31:36
8809 Dennington Drive. D-E-N-I-N-G-T-O-N Drive.

31:44 Mindy Stivers Clerk
Sorry, D-E-N.

31:46
i-n-g-t-o-n drive, that's 40222, 40222.

31:56 Mindy Stivers Clerk
If I remember, we can reach out in case they need to call you back.

31:59

plus one four three five six one

32:06
Yes, 612-0242.

32:12 Mindy Stivers Clerk
Okay, Lisa Meister Carter, American Express.

32:14
American Express debit card.

32:19 Mindy Stivers Clerk
number

32:19
5 4 2 5 4 3 0 1 5 6 8 3 9 2 7 1 9 of 29

32:34 Mindy Stivers Clerk
Okay, the four-digit chart and code on the front.

32:37
four six seven oh no the four four digit tracking code

32:42 Mindy Stivers Clerk
Yeah, there should be afford- on American's front, there should be afforded to detract to quote on the front.

32:47
This is a debit card. It's not a credit card. There is no four-digit number. It's 0929. There's an expiration. There's a CDC code on the back. 467. It's a debit card.

32:59 Mindy Stivers Clerk
Okay, I will try it. We'll see if my system will take that.

33:03 Mindy Stivers Clerk
What is an email we can send you the receipt to?

33:08
danieljfeldmanphd at gmail.com i i just can't believe this is what i can't believe this is

33:25 Mindy Stivers Clerk
I'll get the segment process to get 30 feet over and see a short light.

33:28
Did it go through? Did it go through?

33:28 Mindy Stivers Clerk
Did it go through? I have to go over and run it with not right next to me. I have to go the other area and run it.

33:36
Okay, thank you.

33:37 Mindy Stivers Clerk
We'll call you back for the problem.

33:39
can you can i stay on hold no okay i mean for real mom okay so what she said was tracy's boss said that the judge is very concerned about what's happening right now and that he is willing i mean

34:00
he's going to make an order and on it okay it's going to happen right now i should have paid this i knew i should have paid this thing

34:11 Jerry
Okay, okay, then shoulda, woulda, coulda, we can't talk about it. We're going to talk about, Bailey's got two men in a truck. They're going to be here at 2 o'clock.

34:22
Well, yeah, that's going to be too late. They're going to set everything out, and Jason's going to be there and take everything.

34:31 Jerry
I she said for me to call the sheriff get off she said get off the phone call the sheriff and tell them you're the designated representative and you they will pick me up I can't pick my car

34:44 Jo Anne
Okay.

34:44 Jerry
Okay, but they will take me up and drive me over there. I'll be the representative to see that everything

34:51 Jo Anne
Where's Jerry? Where's Jerry? Did he leave?

34:55 Jerry
Yeah, he said he had to go, and he put the paintings in his thing, and, well, I've got the dolly.

35:04 Jerry
He didn't have room for the dolly.

35:06 Jo Anne
And

35:10
So, um, hopefully you don't.

35:14 Jerry
I'm looking for paintings that you think were more expensive.

35:18
Okay. okay all right and um there's just um you know i mean a lot of it is you know i mean like i said i'm recording well i'm recording all of this now um i've been recording it um now she she did tell me that um i was crying hard she didn't tell me I've been crying so hard. I can't believe that this is what happened. that ashley woman is she needs to be she is linda i tell you

35:57 Jerry
I know, and she took John Benz on the phone.

36:00

And John Benz is, we know, well, I have asked the judge to hold them in criminal contempt.

36:08 Jerry
So I think that, is that the sheriff?

36:11
So call the sheriff's office. Call the sheriff's office. Do you have the number? I've got to deal with the federal court right now.

36:20 Jerry
I don't have the number, but I don't have it.

36:23 Jo Anne
Let's see, the sheriff's office number, hold on.

36:26 Jerry
I'm going to let my person come back. I don't have a pen or a paper.

36:31 Jo Anne
Well, I'm going to send it to you.

36:32 Jerry
I have to get in the ambulance. Hold on.

36:39 Daniel
Oh

36:42
It's just unbelievable that this has happened to people.

37:35 Mindy Stivers Clerk
Okay, sure.

37:41
Um, yeah, yeah, yeah, okay, hold on, um. I'm writing that armed officer. I just, I can't believe any of this. I mean, I just, it's just, it's so disgusting.

37:55 Jo Anne
You shouldn't eat them.

37:55
Okay, so I, so the, the.

38:02
Hold on. Oh my god. Okay, so the

38:08 Jo Anne
Just so you know, well, you have the crime.

38:11 Jerry
He told me that the officer said call LMPD and ask them to transfer you to the sheriff's office.

38:22
Let me tell you this first off. Okay, so there's the report. The criminal report number is 25. It's LMPD 25-057-164.

38:38 Jerry
Okay, then. Is that from last night?

38:42
That's from last night. Okay.

38:44 Jerry
And I've got written out what the sequence of events was.

38:52 Jo Anne
So the

38:52
The number is, hold on, it is, okay, Sheriff's Office is 502-574-5400.

39:06
Now, actually, call Sergeant Perry. Sergeant Perry is at 574.

39:16 Mindy Stivers Clerk
Wait a minute. Okay.

39:22 Jo Anne
5-7-4-5-4-2

39:23
and Sergeant Perry is another option besides T. Scott.

39:33 Jerry
So I'm going to talk with peace.

39:35
No, no, no. You're going to talk to Sergeant Perry at 5420.

39:43 Jerry
So you want me to call that number directly?

39:46
Yes, that's the Sheriff's Department. It's Sergeant Perry.

39:50 Jerry
Oh, well, good.

39:50
Oh, good. My payment went through.

39:51 Jerry
My paper.

39:52
My payment went through to the district court. I just got the notice. Okay, so I got to call them back. Okay, so Target parries at 574-5420.

40:00

Deanna.

40:02 Jerry
What am I supposed to tell him?

40:03
Tell him that you have been my representative, that you're supposed to be there, that Judge Stivers is there in federal court. He's making a ruling on an order to vacate this, to have the U.S. Marshals intervene. He's making a decision on it right now, in real time.

40:23 Jo Anne
Oh, I hope he does. I hope he does.

40:26
Well, just hope is good. Tell Sergeant Perry that they should wait, at least wait and confirm that this is in Western District Court and that Judge Stivers is currently reviewing the emergency orders that were placed last night and that is going to be making a ruling on them and that they should wait until that ruling. That you have also been my lawfully represented party and yet the Ivey has trespassed you and my other representative

41:03
there from the property so that they have in effect made it an unsupervised move, unlawfully. Not only is the order unlawful because it's been removed to federal court, but the fact that the Ivey has removed the supervision of that move, They've removed that, that that is, that that's unlawful and clarify with the sheriff. Just say that you're my representative and can you ride with them or how can it be possible to not have a supervised move because if they, and also let him know that they, that before the sheriff arrived, they already evicted me. They changed the locks, they removed the doors on the track.

41:53 Jerry
No, we haven't changed.

41:54
No, no, no, no, no. They removed the doorknobs. They removed the doorknobs.

42:00
That they removed...

42:00 Jerry
It doesn't.

42:02
it doesn't matter it doesn't matter last night yesterday they removed federal notices and they removed the doorknobs that is a a constructive eviction that they did not wait for the sheriff that they took matters into their hands ahead of time and he needs to know that because that should void their order that means they don't get protection

42:27 Jerry
construction work.

42:29
Constructive eviction, constructive eviction, constructive eviction that because they took their matters into their own hands to effect an eviction yesterday at the very, at the minimum, that therefore the sheriff should not even be involved anymore. They did it on their own. And that's, I think it's what's called a self-help eviction. What that means then, because they didn't wait for the sheriff, is that they don't get the sheriff's protection and they don't get the sheriff to help them move out anymore.

43:08
A self-help. That means because they didn't wait for the sheriff that they have to do the eviction on their own. And they have to do it lawfully, but the sheriff doesn't get to coordinate it anymore. Because they evicted me yesterday. And John Benz made a wrong thing that said I threatened armed violence. The ID, I have a police report last night.

43:44 Jerry
She says that they have documented evidence that you reported violence. Did you in any past since February or January?

43:52
no no she's talking about my email today where i said the second amendment right that they have put people at risk because they refuse to replace the doorknobs and provide security

44:03
on my belongings while i still have rate of possession and that i am legally allowed

44:09 Jerry
It wasn't a gun. It wasn't a gun. nothing else

44:15
No, she said that I had, because I said I can use the Second Amendment to protect my life, liberty, and property because it's still in my possession and they had removed any security of it. I have a right under the Second Amendment to protect my life, liberty, and property with armed security that I hired off-duty police officers. That is not a threat of violence. This is a problem that they caused.

44:59 Jerry
You say Second Amendment, everybody thinks guns.

45:02
That's what it is. I hired armed security there and I said I hired someone with a gun to lawfully be there to protect my life, liberty, and property. And that is not unlawful. I hired a police officer.

45:24 Jerry
Okay, I'll try, it's all over just in the look.

45:30
So, so then I've got to call them right now. I have to call them right now and find out what the, can you, you can call them. If you have any questions, call me back on this. You can call me back on WhatsApp. Call me back on WhatsApp.

46:17 Speaker 12
You have reached the United States Federal District Court for the Western District of Kentucky. Please listen to the following options. If you are attempting to call the Jefferson County Circuit Court, please hang up and dial 502-595-4932. For the Jefferson County District Court, please hang up and dial 502-595-4932. Wait while I translate.

47:25 Daniel
Sorry, K-Y-L-S-E, I'll just go to the clerk's office name, Compilot X-F-E-R. You have reached the United States, Reverend. Wait while I transfer your call. Yes.

48:04
hi this is daniel feldman i'm calling back i got a receipt that my payment went through and i was waiting on hold i never didn't hear back from anybody and i'm not sure who i'm speaking with but i'm trying to reach tracy's supervisor who has been super nice and tracy's been very helpful

48:25 Mindy Stivers Clerk

Okay, she's actually not in the office. Let me see if she's available because she is off site today in and out of meetings. Hold on.

50:14
Hi, Mindy. This is Mindy, correct?

50:19
Missy. Mindy. Mindy. Yes, this is Daniel Feldman. I'm trying to figure out what to do. I mean, I don't even know. I'm so... This is all so unlawful and insane. Everything I have...

50:36 Mindy Stivers Clerk
uh here's here's what i've done uh they told me that you called and made a filing fee uh so i have messaged chambers to let them know that the final fee has paid as this page um so they will be getting reviewing um

50:54 Jerry
I do not think the sheriff's office...

50:57 Mindy Stivers Clerk
was the one that they're doing.

51:00 Jerry
Was this maybe just the apartment?

51:03
The apartment, well, my mother was there and taking and helping move things off the premises with a friend of mine. The apartment complex showed up with the LNPD, and the LNPD said that they trespassed my mother.

51:17 Federal Court bot 1
mother, I said,

51:17
I said, she's my legal representative. They pushed my mother around. She can barely breathe right now. They said I'm not allowed to have a legal representative there for the move-out, which is impossible. Not only is the move-out completely unlawful, but I can't supervise it. And they trespassed my mother, and then they said that I threatened armed violence. I hired two because they refused to put locks on my doors. They had taken the locks off yesterday, even before the eviction order was enacted. They took the locks off, and they refused to put them back on, even though I filed an emergency motion. I called them. They're after hours, and not having locks on the doors is an emergency.

52:04
They refused to provide that, and the officer who took the police report last night said that I would have to be responsible for securing the apartment. I called to hire two, and I notified them, and I noticed. The marshal's office and the sheriff's department that I hired two off-duty police officers to be there to guard my belongings while they were being removed. if they were going to enact this unlawful order that has been removed to federal court. And they said that I threatened violence with that, which is not a threat of violence. I have a Second Amendment right to protect my life, liberty, and property, and I still have right of possession. The sheriff has still not shown up. I still have right of possession. They trespassed my mother, my legal representative from there. They're in my apartment now, going through my belongings, before the sheriff even gets there. They're going through and sorting this.

53:01
This is with a person who I reported three instances of him stealing my apartment. He's gone in, and he's taken my iPad, and he's taken belongings out of my storage units. And now he's in there with the Ivy staff, going through all my stuff on my security camera. Luckily, I have one security camera that's not yet turned off, but he's going to unplug it. He unplugged it before, but he goes in my apartment to steal things. He goes over and he unplugs the security camera. That is happening right now in real time. And the sheriff has not even shown up yet.

53:41 Mindy Stivers Clerk
All I can do, like I said, is notify chambers that the filing fee has been paid so that they can proceed to the next step. But, I mean, there's nothing I can do about L&T or anything like that.

54:00
Yeah, I just lost everything I own. I just lost everything I own, including some of the paintings in there that are worth $30,000. I just lost everything I own. And I just have watched my mother on video being physically manipulated. She's on a walker. My mom is sitting there in her car right now. She can't even breathe. And this is how people get treated. I mean, I can't believe how unlawful all of this has been. I was in a hospital bed. I just got out of the hospital for eight days with a stroke. They hold an eviction hearing where I'm not even allowed to speak. They perjured themselves. I filed over 400 pages of documents.

54:38 Federal Court bot 1
Documents, damn!

54:38
They have filed nothing. They never even served me the eviction order. They never even served me a thing for non-payment. They lied in the court. They turned off my fee to pay me. Oh, yeah. Oh, yeah. Trust me. I've talked to a hundred of them. No one is willing to represent my case.

55:02
That's the whole point of my case. The whole reason it's removed to federal court is because there is a 14th Amendment violation that I have to file. My mother and I had to go in and make paper filings. Eight times my mother went in because we don't have an attorney. I've talked to attorneys. They don't want to represent a case that's messy. And the fact that I sat there on a video call in eviction court and with 30 evictions and not one person was represented because there's like three evictions. There's like three tenant attorneys in the entire city. And so I don't have an attorney. I found over 400 pages of pleadings following every piece, every state rule, every local rule to the T. I served all parties. They did not serve me anything. They are lawfully served. They lied about service. And they didn't. And I wasn't even allowed to speak at my own hearing.

56:00
My video feed was just cut off by the court clerk. They judged that there and laughed about how I filed over 400 pages of verified pleadings, including emails that said I have asked them even a month before my rent was due. You've cut off my ability to pay my rent electronically. I'm overseas. How am I supposed to pay rent? And they would not answer. And they lied in court. They lied and they said that I never offered to pay rent. And I had the emails were sitting right there on the judge's desk, right on her desk. And she laughed about it. She has all of these stall tactics of yours. I wrote 400 pages of pleadings. Are you kidding me? A stall tactics? I'm not a lawyer. I'm a doctor. I don't have time to do that. I have had to spend all of my time and had a stroke. I was in a stroke. And the judge laughed and said, you're going last. I had, I had doctor's rounds in the hospital. And I said, you cannot come in here because I'm on a federal court.

57:01
I'm in a court case right now on video call. And, and, and, and the judge laughed and she put me last. And then I wasn't even allowed to testify in my own case. And she allowed perjured testimony. There was proof of perjuring sitting right there on her desk. And she had never looked at any of it. I had 88 filing requests. I had, I, I, I had a federal removal and she said, I know judge Stivers personally, and I know how he's going to rule. So I'm going to file an eviction anyway. And laughed, I laughed about it being removed to federal court and complete contempt of the law and allowed the other side to perjure themselves while my mother and I sat there in total disbelief. Our video feed. I'm not even allowed to testify in my own eviction hearing and eviction that was made up and manufactured and lied about for nonpayment of rent.

58:01
I have plenty of money. I've got money to pay it. I asked them four times, even before the rent was due, how am I supposed to pay my upcoming rent? Because you've cut off my electronic fee to pay it. And I'm in another country. Do I

pay a money order? Do I pay a cash cheque? Who does it go to? My mother went in on, on February 28th. It was a snow day. My 81 year old mother on a walker went on a snow day when schools were closed over to pay my rent in February for March before it was even due. And they told her she's not allowed to be there on the property that I don't even live there. This is in February when I had paid rent. I clearly live there. I mean, I can't do anything. I just lost. All my things. I lost everything I own 30 minutes ago. I lost everything I own 30 minutes ago and had to watch my mother on video.

59:02 Daniel
be physically manipulated after she had to go file a paper.

59:06
violence in court eight times, and the court laughed about them, and they wouldn't even accept them in the record. We're talking about orders for ADA requests. There's a HUD complaint about civil rights violations. These people blinded my eye. I have a $1.2 million lawsuit against them. They blinded my eye. I can't even drive now. And now they just took all my belongings and physically robbed up my mother, and they went in and they robbed my apartment for the third time last night, and no one can do anything.

59:39 Daniel
about it this is a case has been removed to federal court

59:45
This had been removed to federal court, and they laugh at that. And she says, I know how Judge Stivers is going to rule. I know him personally. And just violated federal law. And now they're enacting avoided order and roughhousing my mother

01:00:01
and telling me that I can't even have a supervised move with the sheriff. I can't have a supervisor there. That they're just taking all my things. This is a difficult situation. This is a total loss and a travesty of justice. I have filed over six restraining orders. Not one hearing has been granted. Not one. I filed emergent ex parte orders. And you know what? I don't even get granted not even one of them. And yet during the court hearing, during the court hearing, then Ex-forte, talk about ex-forte, the lawyer from the other side laughed with the judge and they said, oh, they discussed my case before the eviction hearing and decided to put it last because of the volume of it. And they laughed and they said, oh, we're putting it last. And they made me wait for an hour and a half in a hospital bed with an IV pole visible. I'm sitting there in a hospital bed with a stroke.

01:01:03
And then they cut my feet after an hour and a half and I'm not even allowed to speak in my own hearing for my eviction that they're enforcing today and taking all of my belongings after roughhousing my mother, who's 81 years old, who went down to the courthouse and filed eight different documents that they completely ignored.

01:01:22 Daniel
Seven different restraining orders, all of them ignored. ADA requests, all of them ignored. Every single one. I filed at least three restraining orders with Judge Stivers. Not a single response, nothing, other than finally I hear, oh, he doesn't expect...

01:01:40
except my IFP response, when I don't have anything, I'm disabled. I can't even see or drive because they blinded my eye. I'm blind. for the first time in eight months, I can't drive anymore. I can't work anymore. I'm in the hospital with a stroke. I'm watching my mother get pushed around,

01:02:00
81 years old. I asked the court for help and no one can do anything.

01:02:04 Daniel
anything and now they're taking all of my belongings yeah this is a bad this is a bad day this is a it's a travesty of justice

a travesty and the very reason i filed this in federal court

01:02:21
Because of the number of civil rights violations and the number of ADA violations and the violations.

01:02:29 Daniel
that everyone says, oh, you need a lawyer. That's why I filed this under the 14th Amendment because you cannot have a system, a 14th Amendment, and require proceeds. is able to need one years old. TO FILE in person while this attorney who shows up in court in a stretched out t-shirt and his pajama bottoms picking his nose and eating it which is what he was doing on video

01:02:56
even dressed appropriately. I'm there in a hospital bed in a button-down shirt and dressed

01:03:02
to the nines.

01:03:04 Daniel
My mother took a shower and got dressed up, and our video feeds were cut out, and we weren't even allowed to speak. This is a travesty of justice, and I can't believe for a second that there's been no ruling, not one time, any response back to multiple requests for temporary restraining orders against violence. Violence. Violence against an elderly man in a hospital, and his 81-year-old mother was COPD. Violence. And violence today. And no one's going to stop it. No one. And this is a bad day? I'm having a bad day? Really? I mean, it's out of control. I want to know how in the world... Anyone's going to make this right, right now.

01:04:00 Daniel
They're removing my property. They're in my apartment right now, removing my belongings, and they won't even allow me supervision, and the sheriff isn't even there. Who's going to stop it? Who? I called the U.S. Marshal's office, and the Marshal's office says no. The Marshal's office says they can't do anything without Judge Craig Stivers. Sir, I'm not going to beat up if you want this. Oh, I'm sorry. I'm sorry.

01:04:26
I'm sorry.

01:04:26 Daniel
I'm sorry. I'm just really upset. You've been very patient, and you listened.

01:04:34 Jo Anne
Thank you, thank you for doing that, I'm so sorry.

01:04:35 Speaker 7
Thank you for doing that.

01:04:35 Jerry
I'm so sorry. If I can, since you contacted the federal court to assist you.

01:04:40 Mindy Stivers Clerk
Everything that you're complaining about to me is with state court and the state police, and there's not a thing I can do to help with any of that.

01:04:47 Jerry
So what I can do is get on the phone with you now and notify Chambers of what is going on.

01:04:56

I understand. Oh, no, I appreciate you. I appreciate you.

01:05:00
I appreciate you. And you, Tracy, have been very helpful, and you've been very patient. And I appreciate you listening to me having the worst day of my life.

01:05:14 Jerry
for you. This is the work day. I was just

01:05:18
Yeah, I understand. You've been super duper helpful.

01:05:21 Jerry
Is that helpful? Question for what you're going through, and I'm trying to assist you with this.

01:05:25
I understand and I appreciate you. I do. And I appreciate Tracy. I do. So thank you.

01:05:32 Jerry
Okay, so let me talk to Chambers, and again, I'm not assuring that I'm not telling you what will happen. I don't know what will happen. I don't know how Chambers will rule, but what I can do to help you at the moment is to let Chambers know that the fee has been paid and what is going on at your apartment. That is the best that I can do for you at the moment.

01:05:53
Thank you. Is there an email that I can email you instead?

01:05:58 Jerry
You can email through the system where you've been filing.

01:06:03
Okay, so just just where I just like add a filing or something

01:06:10 Jerry
Yeah, just whatever, you know, whatever it is that you want to send, just put it in a PDF and send it to the, do it through the electronic box and send it to us.

01:06:19
Okay, okay, okay, that's great. So I'm going to send an update about what just has happened in the last hour.

01:06:32 Jerry
I see what you submit through that. Those do come to me as well.

01:06:36
Thank you, Mindy. Thank you so much. I'm sorry. Okay, my best friend in college's name is Mindy Stivers. Oh, really? Yeah, our name is Mindy Stifers. At UofL, my best friend is Mindy Stifers. So I don't know if your last name is Stifers.

01:06:59 Jerry
Yeah, hopefully that will be a good time for you.

01:07:03 Jerry
I hope that will be good.

01:07:06

Thank you, Megan.

01:07:07 Jerry
I'm going to get off.

01:07:07 Daniel
Yeah, please, please, please.

01:07:08
Yeah, please, please, please. Thank you so much. Bye-bye. Because of the lack of security, all of my stuff has been put on the street, with no ability to float it onto a truck, with no ability for anyone to document what is happening. It's about the worst possible outcome that anyone could imagine. They also roughed up my 81-year-old mother on a walker. She can barely breathe.

01:08:01
I thought she was going to have a heart attack in her car. I don't know what you have to do in Louisville, Kentucky to get emergency security, armed security, but I had called over 20 different places and nothing, nobody to help. It's about the worst possible outcome that anyone could imagine. I don't know what you have to do in Louisville, Kentucky to get emergency security, armed security, but I had called over 20 different places and nothing, nobody to help.

01:09:04
Oh, mom, are you there? Well, I'm just now reading your, I just got off the phone with Mindy at Judge Stivers Chambers. I'm just now reading your email, so what did they say?

01:09:28 Jerry
He said, if the judge rules in your favor, the whole thing will be stopped. If he rules in the Abbie's favor, he will call personally and give us two days.

01:09:41
Wow. Well, the woman told me the other day who was super nice at the sheriff's office, not Deanna. Deanna works for T. Scott. But the woman who worked for Sergeant Perry, I think was his name. And she said, she's...

01:10:00
She told me, she told me, she said he is the guy to talk to because he is helpful and he understands people and he wants to help.

01:10:12 Jerry
He talked to me before and he remembered me.

01:10:18
Wow, wow, well, I mean, and so what?

01:10:22 Jerry
I need some bathroom, I need some bathroom.

01:10:27 Jo Anne
Did, did, did, did, did, did... Are you still trespassed?

01:10:33 Jerry
No, I'm sitting in Galen's parking lot waiting for the sheriff's truck that's not going to come.

01:10:40 Jo Anne
Oh my gosh.

01:10:43 Jerry
He said to go home.

01:10:46
Well, right now, right now, so there's locks on my door, supposedly, right? But I probably...

01:10:53 Jerry
There's a monk on your door.

01:10:55
But but but so I wonder We have to tell Jerry. I have to call Jerry.

01:11:00
Isn't Jerry a gem?

01:11:03 Jerry
Yes, but I mean, he was struggling.

01:11:07
I know, I told you he had-

01:11:09 Jerry
We were trying to get behind the sofa to get these paintings.

01:11:15
Oh my gosh, well, I'm glad that you got them. My concern is that Jason Frew is going to be up there. Jason's a part of this.

01:11:24 Jerry
Well, it's locked. Everything is locked. They put new locks on the doors, on their storage bins, with the same key. So everything is locked. He can't get in there unless he breaks off.

01:11:37
Well, they will. So, what I'm going to need to do is when you are untrespessed, I need to go...

01:11:47 Jerry
Right now, I'm, oh, well, I mean, I'm sitting in Galen.

01:11:53 Jo Anne
Well, see, the thing is, so...

01:11:53 Jerry
All of us heard the Officer Padgett. He had to walk us out. He said you have to leave the premises. He said I'm sorry. He was so nice.

01:12:05
Oh, I liked him, too. I liked him, too. I couldn't hear. The problem was because Ashley wouldn't shut her mouth, and neither would John Benz. And so I couldn't hear what he was saying because he told me. I thought he said something that I had two days.

01:12:26 Jerry
Well, the fact that he did it first, that was if Ashley agreed. That's why he said you have to call.

01:12:33 Jo Anne

Oh, oh, but we knew.

01:12:35 Jerry
only

01:12:36 Jo Anne
That's it, that's it.

01:12:36 Jerry
It ain't green. It ain't green. It ain't green for nothing.

01:12:39 Jo Anne
No, no, no. She's a megabit.

01:12:41
I mean, you know, they have given no reason to evict me. I am so happy right now, Mom. Thank you for calling that. And you know what? So, Mindy, you know, my best friend in college at UofL is Mindy Stivers. Is Mindy Stivers. And Mindy is Judge Stivers' clerk.

01:13:03
So I told her, I said, you're not Mindy Stivers.

01:13:03 Daniel
So I told her, I said,

01:13:06
I said, you're not Mindy Stivers, because that would be nepotism a little bit, but she said, no, no, but she laughed, and she said, I said, Mindy Stivers was my best friend in college at UofL, and she laughed, she listened to me go on for a long time, I was crying, I was upset, and she said, you know, look, I'm not meaning to cut you off, I've really been listening to you for a long time, and I said, yeah, you let me go on, not just today, but the other day, I appreciate it, and she says, I'm going to get off here, she says, the chambers have been notified that you paid for the order, and that now he's going to review the emergency motions, and she's like, I'm going to make sure that everything that you have filed is in there, and she said, if you want, it goes in front of the judge right now, and asking for a ruling, and I said, well, I'd like to,

01:13:57 Speaker 7
I'm putting in a good work.

01:14:00
She can't do that, but she's very professional. She's very, very professional. She's like, I can't tell you anything more than that. She's like, but I will tell you I have received all of your filings, I have read all of your filings, and I am making sure that now that it's paid and that's no longer an issue, that he's going to read those today. She's like, before he couldn't read them because the IFP was not yet approved.

01:14:30 Jerry
Yeah, Sergeant Perry had already been alerted that he was reading them.

01:14:38
Wow. Well, that's what I sent them. I sent them to his, it was, um, it was actually Sergeant Perry's. So, so I didn't go to Ashley. It was Sergeant. I was, I've been emailing Sergeant Perry's administrative assistant. That's the only email address I have for the sheriff's office in the evictions unit. I have one person and it's Sergeant Perry's administrative assistant. So that's who I've been emailing. And so he, he has been on top of all of this.

01:15:07

I mean, I had no response back from them. I've asked for their response, but he gave us two days, right? Oh, I bet Ashley, I bet Ashley.

01:15:18 Jerry
Call me and give me two days notice after he hears from the judge.

01:15:24
right okay i bet ashley and john benz are beside themselves well but not only that because i asked judge stivers to to arrest and put john binns in jail and i asked them to put blake heath in jail and i asked them put jason through in jail because i said it's a criminal i said right now it's criminal because it's perjury but it's all part of a plot and and they they've enabled theft on top of it so he's complicit with theft on top of perjury and i said and besides i you know when you

01:16:00
when you tell a lawyer or someone that they've committed perjury or a lie upon the court they don't they have a certain number they have a time frame that they can go back and correct the record and say oh that was i i was incorrect when i said that and because of the fact i put them on notice

01:16:17 Jerry
Well, he said today, I said, you committed perjury last week. Oh, no, we didn't. I said, well, so I told Sergeant Perry about what he did in court.

01:16:35
Well, he has your, you know, but see, he also knows you because he has your two affidavits and my affidavit. I've been serving all of that to his administrative assistant. So, he knows, he knows very well that exactly, you know, what's going on. And he's read all your, I mean, I bet Sergeant Perry has read all your documents.

01:17:01
And because even, even Mindy was like, we've all been staying abreast of your situation. She's like, it doesn't sound like it. She's like, but we've all been staying abreast of your situation and we all know. And she told me, she said, I know, when she, she actually said something to me, I went off. She goes, I know that you're having a bad day. But I said, a bad day? I went, I went off for like 15 minutes. I said, you tell me this is a bad. Well, I'm actually laughing and I'm tickled pink right now because of what you told me. And, and, and what sounds like from what Mindy is doing, Mindy's on our side.

01:17:49 Jerry
And you get judged.

01:17:53
That's his corp, that's his corp, that's his corp.

01:18:00
Yeah, Mindy, I was on the phone with Mindy. I was on the phone with federal court. You were on the phone with the, and I said, you know, let's get the marshal's office involved. And even Mindy told me the marshal's office will not get involved until Judge Stivers rules. So she said, and all that Judge Stivers could see before was the my pauper request. And because he denied that originally, I don't know why, it probably has to do with those papers that you sent me. It was denied for some reason. And so because of that, until it was paid, he's not allowed to look at any of the documents. The clerk can see them. So he's not allowed to look at anything until, that's why I was like, I knew that day, I'm going to have to pay that. But it's paid now. And now she says, now she can put everything in front of him. And I said, yeah, he needs to know that there were, I've had, I've put in for seven times restraining orders requests

01:19:04
and I've never been granted a hearing. I've asked for ex parte emergency hearings for a restraining order since March 31st. It's now over six weeks later. I've never been granted a hearing. And all the while, John Benz is allowed to talk

about docket placement with the judge and ex parte inappropriate comments in the court. And say, oh, they reviewed my case and they're saving it for last. He's not allowed to be in those conversations with the judge. That's completely inappropriate. I've demanded his arrest in those documents. I said, so I actually have, there's a document, it's called to show cause, in order to show cause. And what that means is, because I said, he has to provide evidence of why he thinks he should not be arrested. And put in jail for the crimes of perjury.

01:20:06 Jerry
Well, they're saying that you threatened them, so you got to clear them.

01:20:10
Oh no, the email is fine. I had it run through ChatGPT and everything.

01:20:10 Jerry
No, I...

01:20:15
It says, I, I, and, and.

01:20:19 Jerry
and Ashley both said you threatened them, and they have...

01:20:23
Oh, but they're going to be left out of court because my email doesn't say anything like that. My email says, I said, they have created this problem because they have not secured my doors. And because they have not secured my doors, I have the right to hire armed security and use Second Amendment to defer my life, liberty, and property from unlawful removal. And that is the truth. There's nothing I said in there. I said the Second Amendment.

01:21:01
Yeah, guns. That says guns to everybody. That says guns to everybody. Yes, it says I have a right to have an armed person there with a gun to defend my life, liberty, and property. That is guaranteed by the Constitution. That is not a threat. That is not a threat to use violence. I actually said in there, this is not a threat of violence. I said, and I didn't cause this. I said, because if the sheriff shows up and there's armed personnel there, there are multiple people with arms. And that puts at risk other tenants, my family, the employees of the I.V. And it's not my fault. It's because the I.V. has failed to secure. I've called, and they had to fulfill. They had one hour to fulfill. If your door lock is broken off, they have an hour to correct it. And I said, since 2.50 in the morning.

01:22:00
Well, it was broken off sometime before 7 o'clock yesterday, Carter. Well, I sent all the documents about it. And I talked to the police, and I actually said in the notice that the police told me I'm responsible for securing that property. And that means I can hire an armed security person to do it. So, I have the U.S. Constitution to back me up on that on Second Amendment. I can hire armed security.

01:22:28 Jerry
I don't know the past. They don't know anything about it. Oh, Chris, you know yesterday. They do not know what it is or what it's about.

01:22:41
Chrissy Young

01:22:41 Jerry
Give me a brisket cheese and a... Homeland Security. and arresting people, I mean that is a word that's common. with, uh, all this, you know, authority.

01:22:59 Speaker 12

No, it didn't, of course.

01:23:01 Jerry
They all know what habeas corpus is, and she has. No, in fact, what she said was, that means the president can get rid of anybody he wants.

01:23:12 Daniel
I don't know.

01:23:15 Jo Anne
What an idiot.

01:23:16 Daniel
In a hurry! In a hurry! She said that!

01:23:21
Okay. What an idiot. What a total, total idiot.

01:23:26 Jo Anne
She is. She is. All these people are idiots.

01:23:31 Jerry
We're going to make everything.

01:23:32 Jo Anne
Oh, I know. Oh, watch.

01:23:35 Jerry
I don't think she's going to be lasting long.

01:23:39
Well, okay, I need to do a couple things. I have to, by the end of the day, and it's already noon, 1230. Okay, I need to...

01:23:47 Jerry
Are you 1230 now? Are you 130 now?

01:23:51
I'm 1.30, it's 12.30 your time, I have- I have to file, I have to file in fact-

01:23:57 Jerry
anybody else

01:23:58
No, no, no, I do. I have to file it today. I have to-

01:24:02 Jerry
It's not me, I don't...

01:24:03
No, yes, you do. Yes, you do. I need an affidavit from you. I need an affidavit from you of what happened. So I can, we can write that together. I just need to get it in by four o'clock. I need to get, well, I, well, it's important. This is an important. Do you mean what happened today or what happened? What happened today with the, what happened today with Ashley and John Benz and all of that nonsense. And what the, what the, so we're going to have to document that and I have to send it to Judge Stivers and I have to get it to him as soon as possible.

01:24:37 Jo Anne
Thank you.

01:24:37
So don't go far.

01:24:40 Jerry
If I remember everything that happened.

01:24:47
Well, you know what? It doesn't matter. I have it all recorded. And so I'm going to feed it into ChatGPT to break out the exact quotes of what everyone said, including Ashley.

01:25:06
If you have any recordings, if your phone, did you have your phone on? Oh, you didn't.

01:25:11 Jerry
Well, I was doing book club. I was doing, I don't think it's recorded.

01:25:17
I would die.

01:25:17 Jerry
And the officer, Padgett, or what was his name?

01:25:23
Yeah, yeah, yeah, yeah.

01:25:23 Jerry
Yeah, yeah, yeah, yeah.

01:25:24
You know, I think I have all of that.

01:25:24 Jerry
You know, I think I have all of that.

01:25:27
I have all of it.

01:25:27 Jerry
have all of it. No, when we left when he escorted me out of Let me record now telling you what to do.

01:25:37
Okay, I need that recording, and so I'm going to feed it in, I'm going to feed all this in, and we're going to have everybody's word-for-word statement of what everyone said, including Ashley and John Benz, and I've got to send that over, and we've got to turn it into an affidavit, and I've got to send it over to Judge Stivers, so that he gets it, and then he puts it in front of him, because they want to know, she said, she told me, she said, she says,

01:26:03
write down what happened today, and send it to her, and she's going to put it in front of the judge, so he needs to know what happened, and so I don't want to, I don't want to be later than today, when Mindy said get it to her today, so we got to get this on, and I got to get lunch.

01:26:24 Jerry
Okay, well, get going on it. Get going on it.

01:26:28
you're driving and and we need oh and I need to find out if you're officially trespassed or not

01:26:37 Jerry
They said I was. They said that in the conversation. Because I do not live there, it doesn't matter that I'm your mother.

01:26:43
I- Right. Yeah. And you've had that.

01:26:51 Jerry
They did not live there.

01:26:52
and she has seen that stupid bitch has seen your your declaration that you are my uh um representative let me call jerry maybe jerry has a recording did you know did you notice if jerry

01:27:04 Jerry
No! Oh no, he was busy.

01:27:08
okay all right i'm still recording this conversation i have my my recording is 90 minutes long and so i'm i have everything recorded from i think from the point when

01:27:21 Jerry
Well, I didn't talk to them for 90 minutes.

01:27:24
no no i it's my recording is still recording it's one i said now at 90 minutes my recording right now is still recording and i've recorded everything that was happening with you and the everything i could hear on my phone so anyway okay so i'm gonna turn it off right now and i'm gonna write an affidavit i gotta go get lunch or something i gotta eat i can't believe this is my trip in buenos aires what a trip this is wednesday right yep I mean, these...

01:27:58 Jerry
I don't know if I can make it.

01:28:03
I am so excited about this.

01:28:04 Jerry
We're seeing on Monday.

01:28:08
Oh my gosh, yup, what I am.

01:28:11 Jerry
so I don't know if we're that far or not. We're just singing patriotic songs.

01:28:17
Yeah. Okay. I love you. Thank you for doing this. I mean, wow. Talk about a roller coaster. Talk about a rollercoaster.

01:28:29 Jerry
morning so it's been it's been five hours of hell

01:28:36
Well, well, I mean, it didn't go really crazy until just an hour and a half ago. What time was that? No, 11 o'clock your time.

01:28:45 Jo Anne
o'clock your time is when they showed up

01:28:48 Jerry
Yeah, about that, because we had a half an hour left of book club, and I was the host. I was supposed to be, it was a mess.

01:28:59 Jo Anne
So, um...

01:29:03 Jerry
I didn't know how to work, I didn't know how to turn off my sound, so they were hearing everything with the police officer.

01:29:11
yeah well well i you know all right i never heard back from bobby i think bobby hates me now um

01:29:27 Jerry
She's been very busy. She has joined a hospice chorus that goes to

01:29:34
Oh, I want to do that. I want to do that. I would do that with her if I was there.

01:29:41 Jerry
And when the thing, when the thing, when the thing

01:29:44
Oh my gosh.

01:29:44 Jerry
Oh my- It was going to be in it.

01:29:48
Well, he doesn't want to have anything to do with Epiphany. I know if it's St. Thomas, he does. But not Epiphany. He's always... Not St. Thomas, St. whatever, what's the name, St. Downtown.

01:30:03
Thank well, I mean, that's funny.

01:30:04 Jerry
Well, he's a comedian, Epiphany.

01:30:09
Brayden, I know, but he doesn't care anymore. He says he's done with it. He says he's not doing it. He says it's a viper's nest of personalities that are bad personalities and that he has just done trying to navigate it. Well, he even sang a funeral a couple of weeks ago. Yeah, you know, I mean, he's like me. I mean, he gets upset, but then still does stuff. Oh, my gosh, I can't believe that Sergeant Perry. Oh, my gosh. I'm so glad you talked to him.

01:30:45 Jerry
How did we ever find him?

01:30:47
Well, I called the sheriff's office last Friday, and they had all gone home.

01:30:52 Jerry
I think I've talked to him before then.

01:30:56
You know, I think we talked to him, you know, when the Glenn thing...

01:30:59 Jerry
Because he said, he said, I've talked with you before.

01:31:03
I think it was about the Glenn thing. I think he was the guy that we talked to about Glenn.

01:31:14 Jerry
He thinks you're crazy, I guess.

01:31:18
No, I didn't.

01:31:18 Jerry
There's this Jason sewing machine in my garage.

01:31:22
I know. You know, personally, I think that's what a lot of that was. I think he is looking for that sewing machine.

01:31:31 Jerry
Might have been.

01:31:32
I think so.

01:31:32 Jerry
I think it's in my garbage.

01:31:35
Oh yeah, he's not gonna get it. Well, I'm hoping that, because I sent in, so my order is to show a reason why Jason has, to show cause why Jason, John Benz, and Christian Heath, Blake Heath, should not be arrested and in jail. And so that they should have to, if Judge Stivers hears my complaint and takes my order, he will order them to court, and they have to provide a valid reason why they should not be arrested for criminal violations.

01:32:10 Jerry
Okay, I'm in the garage. I'm going to go and turn my...

01:32:14
I love you. I'm going to turn off my recording thing now. It's an hour and 30 minutes. I'm going to go get some burgers. Linda's eye race is cool.

Gmail

Daniel Feldman <danieljfeldmanphd@gmail.com>

Service Notice – SCOTUS Emergency Filing (Rule 20) – Feldman v. Ivy et al – Filed June 2, 2025

Pro_Se_Filings <KYWDsmb_ProSeFilings@kywd.uscourts.gov> Tue, Jun 3, 2025 at 9:21 AM

To: "Daniel J. Feldman, Ph.D." <danieljfeldmanphd@gmail.com>

The Clerk's Office has replaced its existing system for submitting documents to the court electronically with a new Electronic Document Submission System (Electronic Document Submission System). As such, submitting documents for filing by way of email is no longer permitted in the Western District of Kentucky.

While self-represented litigants remain at liberty to submit documents to the court by mail or in person, anyone wishing to submit documents electronically should do so by way of this system and in compliance with General Order 25-02 (General Order 25-02).

Sincerely,

U.S. District Court Clerk's Office

Western District of Kentucky

From: Daniel J. Feldman, Ph.D. <danieljfeldmanphd@gmail.com>
Sent: Monday, June 2, 2025 10:57 PM
Subject: Service Notice – SCOTUS Emergency Filing (Rule 20) – Feldman v. Ivy et al – Filed June 2, 2025

CAUTION - EXTERNAL:

[Quoted text hidden]

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

DANIEL J. FELDMAN, Plaintiff, v. SREIT IVY LOUISVILLE, LLC, *et al.*, Defendants.	)	Civil Action No. 3:25-CV-P314-CHB **ORDER**

*** *** *** ***

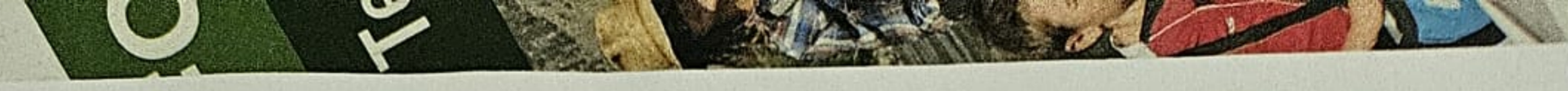
Plaintiff Daniel J. Feldman initiated the instant *pro se* civil action in the United States District Court for the District of Columbia. [R. 1]. On May 28, 2025, the United States District Court for the District of Columbia transferred this case to the Western District of Kentucky. [R. 7]. This matter is now before the Court on an application by Plaintiff to proceed without prepayment of fees, which is also known as an application for leave to proceed *in forma pauperis*. [R. 2].

Pursuant to 28 U.S.C. § 1915, a court "may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement of all assets such [person] possesses that the person is unable to pay such fees or give security therefor." *See* 28 U.S.C. § 1915(a)(1). "A sufficient affidavit demonstrates that one cannot, because of his or her poverty, afford to pay the costs of litigation and still provide for the necessities of life." *Laslau v. Comm'r of Soc. Sec.*, No. 16-CV-11372, 2016 WL 3406015, at *1 (E.D. Mich. June 21, 2016) (citation omitted). The Sixth Circuit has recognized that "pauper status does not require absolute destitution." *Foster v. Cuyahoga Dep't of Health & Hum. Servs.*, 21 F. App'x 239, 240 (6th Cir. 2001) (citing *Sears, Roebuck & Co. v. Charles W. Sears Real Est., Inc.*, 865 F.2d 22, 23

(2d Cir. 1988)). Rather, the relevant question is "whether the court costs can be paid without undue hardship." *Id.* (citing *Sears, Roebuck & Co.*, 865 F.2d at 23). It is within a district court's discretion whether to allow a litigant to proceed *in forma pauperis*. *See id.*

In his application, Plaintiff states that he receives $3,000 in disability payments each month and that his total monthly expenses are $3,350, which includes $2,200 per month for rent. [R. 2, pp. 4–7]. Plaintiff also indicates that he has $2,000 in his checking account and $8,700 in his savings account. *Id.* at 5. Based on the information provided, the Court concludes that the application shows that Plaintiff has the resources to pay the $405.00 filing fee for this action without undue financial hardship as the federal courts have interpreted that threshold. *See, e.g.*, *Ayesha v. Hussain*, No. 2:22-CV-2284, 2022 WL 3371800, at *1 (S.D. Ohio July 12, 2022) ("At a balance of over $6,000.00, Plaintiff's cash on hand is more than enough to pay the filing fee."); *Paco v. Myers*, No. CIV. 13-00701 ACK, 2013 WL 6843057, at *2 (D. Haw. Dec. 26, 2013) (adopting report recommending denial of *in forma pauperis* application where the plaintiff had a monthly income of $1,729, despite fact that wife was financially dependent on the plaintiff); *Brown v. Dinwiddie*, 280 F. App'x 713, 715–16 (10th Cir. 2008) (denying *in forma pauperis* application where plaintiff had $850 in his savings account and could thus afford the $455 filing fee for his appeal).

For these reasons, **IT IS ORDERED** that the application, **[R. 2]**, is **DENIED**. **Plaintiff shall tender the $405.00 filing fee for this action to the Clerk of Court within 30 days from entry of this Order**. Checks shall be made payable to **Clerk, U.S. District Court** and mailed to the following address: Office of the Clerk, United States District Court, Western District of Kentucky, 601 West Broadway, Ste. 106, Louisville, KY 40202-2249. Alternatively, Plaintiff may call the Clerk's Office and pay the filing fee by using a credit or debit card.



Plaintiff is WARNED that failure to tender the filing fee within the time allowed will result in dismissal of this action.

This the 9th day of June, 2025.

Claria Horn Boom

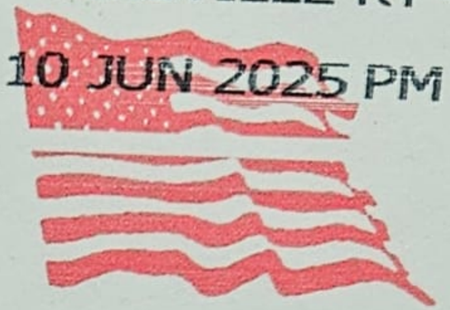
CLARIA HORN BOOM,
UNITED STATES DISTRICT COURT JUDGE
EASTERN AND WESTERN DISTRICTS OF
KENTUCKY

cc: Plaintiff, *pro se*
A958.014

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
Room 126 Federal Building
423 Frederica Street
Owensboro, KY 42301-3013

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, $300

LOUISVILLE KY 400
10 JUN 2025 PM 3 L



quadient
FIRST-CLAS
IMI
$000.6
06/09/2025 ZI
043M3022181

Daniel J. Feldman
8809 Denington Drive
Louisville, KY 40222
Case Number: 3:25-cv-00314-CHB
Document Number: 10

40222-501009

U.S. District Court

Kentucky Western - Louisville

Receipt Date: May 21, 2025 11:46AM

Daniel Feldman
8809 Denington Drive
Louisville, KY 40202

Rcpt. No: 300012222 Trans. Date: May 21, 2025 11:46AM Cashier ID: #SK (6414)

CD	Purpose	Case/Party/Defendant	Qty	Price	Amt
200	Civil Filing Fee- Non-Prisoner		1	405.00	405.00

CD	Tender	Amt
CC	Credit Card	$405.00
	Total Due Prior to Payment:	$405.00
	Total Tendered:	$405.00
	Total Cash Received:	$0.00

Comments: Case No. 3:25CV-271-GNS filing fee; Mastercard Authorization Code: 074447

Only when the bank clears the check, money order, or verifies credit of funds, is the fee or debt officially paid or discharged. A $53 fee will be charged for a returned check.

COURTS/USDC-KY-W-T
601 W BROADWAY STE 106
LOUISVILLE, KY 40202
(502) 625-3592

SALE

REF#: 00000001
Batch #: 141001 RRN: 580100001
05/21/25 11:43:52
AVS: Y CVC: M
APPR CODE: 074447
MASTERCARD Manual CNP
**********9271 **/**

AMOUNT $405.00

APPROVED

CUSTOMER COPY

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
Room 120 William H. Natcher U.S. Courthouse
241 East Main Street
Bowling Green, KY 42101-2175

OFFICIAL BUSINESS

NASHVILLE TN 370
14 JUN 2025 PM 3 L

quadient
FIRST-CLASS MAIL
IMI
$000.69 0
06/13/2025 ZIP 42101
043M30276766

US POSTAGE

Daniel J. Feldman
8809 Denington Drive
Louisville, KY 40222

3:25-cv-271-GNS; DN 16

40222-501009

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION
CIVIL ACTION NO. 3:25-CV-00271-GNS

DANIEL J. FELDMAN — PLAINTIFF

v.

STREIT IVY LOUISVILLE, LLC et al. — DEFENDANTS

ORDER

This matter is before the Court on Plaintiff's Motion for Criminal Referral, Entry of Protective Orders, and Emergency Judicial Relief (DN 15). On May 22, 2025, the Court dismissed this matter due to lack of subject matter jurisdiction, and this case was closed. (Order, DN 14).

Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's Motion for Criminal Referral, Entry of Protective Orders, and Emergency Judicial Relief (DN 15) is **DENIED**.

Greg N. Stivers, Chief Judge
United States District Court
June 13, 2025

cc: Plaintiff, *pro se*