



1. On December 6, 2011 Plaintiff filed with this Court for a Temporary Restraining Order (TRO), and request for Preliminary Injunctive Relief. Plaintiff hereby incorporates by reference, his TRO as if set forth at length, herein.
2. December 7, 2011, this Court entered a TRO on behalf of this Plaintiff that by operation of law, expired on December 21, 2011.
3. On December 8, 2011 Plaintiff was contacted by this Court's chambers to determine whether Plaintiff was available to a telephone conference call approximately two hours later; ostensibly, Plaintiff thought this to be the natural progression of events, in that, having granted the TRO, the conference call was about scheduling a hearing on Plaintiff's Preliminary Injunctive Relief matter.
4. Plaintiff was alarmed to find that the conference call had nothing to do with what Plaintiff believed was to occur, but was on a emergency Motion by Attorney John Joyce, that was being presented by Defendant Mary Grenen, seeking to remove immediately remove the very protection that this Court had granted, as to yet swiftly descend upon Plaintiff's property, and cause to be forcibly evicted, Plaintiff, his elderly and ailing father, and his family.

5. Though there were two other defendants attorneys present, no one, including particularly, Defendant Grenen ever bothered to contact Plaintiff as to what the telephone conference was all about. It was, in short, an ambush by them, that, clearly reveals their ongoing mindset and disregard not only for Plaintiff. But the rules of court, where on Motion, and especially one such as these, required that Plaintiff be apprised of the nature of their motion.
6. Nonetheless, the extent upon which, and the force arrayed were made clear during this conference call, where Defendant Grenen boasted to the effect, that she had an undisclosed number of deputies, state police, 6 movers, a locksmith and others just waiting for word to swoop down upon Plaintiff.
7. As previously pled, Plaintiff has been the subject of physically being assaulted in Court, by a certain deputy, on more than one occasion, and Defendant County readily concedes this did occur, but attempted to pretend the egregious act, by stating it was necessary, as Plaintiff was “disruptive”; however, several witnesses to the events have provided sworn affidavits that totally quash Defendants theory, as at no time, was Plaintiff ever anything but polite and courteous.

8. Moreover, this same Deputy, M. Root, following a presiding in Motions Court on October 27, 2011, proceeded to follow Plaintiff and his brother, with intent to intimidate or otherwise menace Plaintiff.
9. Further, as previously provided by sworn affidavits, Plaintiff has been subject to verbal attack, by a tipstaff, during live testimony in a court proceeding that Plaintiff had been called in as a witness for another; Plaintiff's testimony was unlawfully interrupted with threat of arrest, simply because Plaintiff was testifying, and again, as the record of those proceedings declare, at no time was Plaintiff anything but polite and courteous.
10. This issue extends yet even further, where both Plaintiff and his brother have been subject to close scrutiny by Federal Marshal's during the course of filing various pleading with the court, that culminated on or about September 28, 2011, with a federal marshal, whilst talking on his radio, and in very close proximity to Plaintiff, first asked if he had to stay with Plaintiff, followed by stating [Plaintiff] is on a list.
11. Thereafter, the Marshal detained me on the elevator, whilst another marshal took his place. The list, Plaintiff believes, represents some manufactured threat of some sorts that Plaintiff has been placed on,

without cause or warrant to do so, but upon information and belief, it is the result of Judge Kane having previously cast Plaintiff in a false light.

12. This and more is clearly of record, but, in addition to the force Defendant Grenen fully intended to be exacted upon Plaintiff, there is, witnesses who actually saw, a top of the hill overlooking Plaintiff's property, at the time of and/or shortly after the December 8, 2011 conference call, that eerily confirms that such was about to occur.

13. In the context of the treatment Plaintiff has endured at the hands of several court's enforcement officers, Plaintiff fully believes there is every intent, including if need be manufactured, by which to intentionally cause harm and injury to Plaintiff, which, consequently, such acts will literally kill my father.

14. This Court has already held that Plaintiff and his family will suffer immediate and irreparable harm and injury if the TRO, made as part of Plaintiff's December 6<sup>th</sup> Motion for Preliminary Injunctive Relief, the latter of which, still remains pending, is not granted; and, nothing whatsoever has changed since the time to mitigate that urgency.

15. To the contrary, there is even more urgency now; and the full expectation given the telephone call and other recent events, that

irreparable harm will occur, if Defendants are allowed to carry out their plan for January 5, 2012.

16. Indeed, prior to the expiration of Plaintiff's TRO, and in apparent contempt thereof, the EMC and Grenen Defendants proceeded to have the eviction of Plaintiff and his family that was restrained promptly rescheduled for January 5, 2010. It is almost as if they know something that Plaintiff doesn't know in their presumptuousness, and clearly, in any case, the rescheduling of the eviction when all such efforts was to be restrained was a violation of the Court's December 7, restraining order.

17. This simply reveals more of the same menacing and lawless behavior of these defendants and total lack of regard for due process, and is clear harbinger of the menacing threat of harm that they intend to present to plaintiff when they come down on his property on January 5, 2010 to evict him and his family from his property. Mary Grenen already boasted to this Court of all the power she intends to bring to bear on the Plaintiff; and Plaintiff's pleadings reflect the ongoing nature of egregious if not altogether conscious-shocking events Plaintiff has repeatedly been subjected to; all for the simple want of Plaintiff to be heard.

18. This Court has already held that Plaintiff will suffer immediate and irreparable harm if the TRO, made as part of the motion for preliminary injunctive relief, which still remains pending, is not granted, and nothing whatsoever has changed since that time to mitigate that urgency. To the contrary, there is even more urgency to the request now.
19. Plaintiff has not made any effort whatsoever to move his personal property out of the residence, because in addition to the fact that Plaintiff has no place to go, nor funds to timely secure his property elsewhere, the Supreme Court in Hovey clearly instructs him that he is being subjected to a lawless act in furtherance of a “judgment” in name only, that is entitled to no respect in any tribunal, and can form no basis of any of the *res judicata* or jurisdictional arguments asserted by Judge Blewitt.
20. Defiance of Hovey's admonishment, as is clearly and unequivocally present here, should this Court or any court fail to act, is to be in a state of utter lawlessness. Hopefully, as this Court properly recognized previously, Plaintiff and his family can yet be secured personally, and in the knowledge that this Court truly is an honest and just Court.

21. Nonetheless, the risk of irreparable harm and injury is imminently manifest, and is further exacerbated by Grenen's menacing words and actions, and completely lawless behavior as well as the various actions of the Defendant Court who are doing everything they can to keep me from being heard.

22. Moreover, though Plaintiff has neither initiated or solicited any groups to come out and support Plaintiff and his family during the yet scheduled January 5, 2011 forcible eviction, as witnessed by Plaintiff on December 8<sup>th</sup>, numerous individuals have come forward to offer their solidarity to Plaintiff's unlawful plight, and that number appears to be growing by the day.

23. These individuals and others are now making substantial efforts, much of which I am told is well underway, as to organize a strong and powerful peaceful protest in civil disobedience against the trampling of our constitution that is going on.

24. Members of the occupy movement have been active in organizing some of these efforts, and there are press commitments to cover the event, along with numerous calls I am told they have made, out to national media, militia groups, and other groups associated with related causes.



25. A request for interviews have already come afore Plaintiff, and again, though I did not solicit it, I nonetheless fully embrace and welcome it, as this story needs to be told.
26. Given the Defendants' past behavior, we are all in legitimate and reasonable fear and apprehension that these Defendants will use force, even deadly force if they have to, to put the finishing touches on their lawless plan to take my property from me in violation of my constitutional rights.
27. Additionally, what appears to be, a growing outpour of support, where there is exists indubitable evidence of a manifest injustice, as we have here, such acts of lawlessness, as Hovey clearly states, must be resisted; for if redress cannot be found in the Courts, where are the people to turn to, but to the streets, to protest the unlawful acts of those who are committed to serve.
28. Accordingly, Plaintiff does welcome whatever support he can obtain, in a peaceful manner, but it is here I additionally fear, some of those who do attend, may likewise be harmed, even irreparably, as, regardless of how they have to do it, Defendants clearly intend to do as much harm and cause as much injury as they can to Plaintiff and his family.

29. Indeed, there now exists fear of irreparable harm and injury that may occur to those who seek no more than to stand in solidarity to those afflicted by injustice.
30. All of this can be totally avoided, if this Court simply grant Plaintiff another TRO, as this Court, for good cause, saw fit to do in the first instance.
31. All Plaintiff has ever asked for is the right to be heard; to have a full, fair, and impartial hearing, in front of a fair and impartial tribunal. How it ever became that basic fundamental constitutional rights could be so wantonly ignored, gives rise to exactly what country we are truly living in.
32. Whereas, this Court has previously, for good and just cause, granted Plaintiff a Temporary Restraining Order, it is only Plaintiff, his family and possibly those who may attend in support who will suffer, as, despite whatever Defendants claims may be, they will suffer no harm or damage; there entire action is based on a massive fraud, and they are not rightfully entitled to anything – an abundance of evidence bears this out, it is only a matter of Plaintiff getting the opportunity to present his case in a full fair and impartial hearing, in front of a fair and impartial tribunal Is this really asking too much?

33. Currently also pending are: 1) a motion for recusal, which has not been addressed; 2) a motion for summary relief, which provides all the legal bases needed to grant the injunction in my favor; 3) a motion for modification of the December 7, 2011 TRO, which raises substantial issues as to the defendants' misconduct, and an urgent request to extend the TRO; 4) a motion to stay response to the report and recommendation; and 5) a motion to strike the report and recommendation and direct further proceedings pursuant to Rule 52.

34. Plaintiff has specifically demanded due process in connection with the motion for summary relief, and can fathom no reason that this Court should not have issued some kind of management or scheduling order on this motion, or granted it summarily on the record as it stands.

35. While defendants were allowed to have a conference call set up on the bogus emergency motion to vacate the TRO they ambushed plaintiff with, Plaintiff attempted to get direction from Chambers, hoping for a conference call or some guidance, but received only word that the Court was "waiting" for Plaintiff's objections.

36. Plaintiff incorporates his April 5, 2011 Motion for Temporary Restraining Order and Preliminary Injunction, and all of its exhibits, none of which have been addressed, his verified December 6, 2011

Motion for TRO and Preliminary Injunctive Relief, his Motion to Modify and /or Extend his TRO, and his motion for summary relief herein by reference, and asserts that the record in this matter abundantly supports this Court's entry of a Temporary Restraining Order.

WHEREFORE, in consideration of all the foregoing, and all the references incorporated appertaining hereto. Plaintiff respectfully requests that, this Court for good cause, grant Plaintiff now grant Plaintiff a Temporary Restraining Order, and such further relief as this Court deems just and proper under the circumstances.

Respectfully Submitted,

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Stephen G. Conklin  
100 Spangler Road  
Lewisberry, Pa. 17339  
(717) 460-5450

IN THE UNITED STATES DISTRICT COURT OF PENNSYLVANIA  
FOR THE MIDDLE DISTRICT

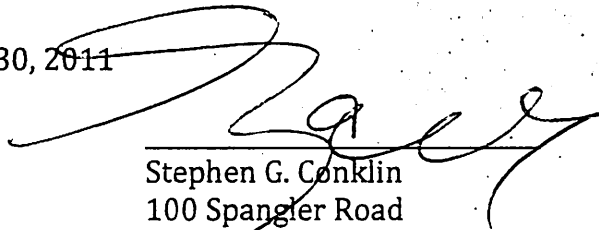
Stephen G. Conklin	:	
Plaintiff	:	1:10-CV-2501
v.	:	Hon. Robert D. Mariani
	:	(MDJ Thomas M. Blewitt)
Kristine M. Anthon, et. al.	:	
Defendants	:	Temporary Restraining Order

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DECLARATION OF PLAINTIFF

I, Stephen G. Conklin, Plaintiff in the above-captioned matter, do hereby declare, under penalty of pursuant to 28 U.S.C. § 1746, that the foregoing statements contained in Plaintiff's Motion for Temporary Restraining Order, are true and correct.

Executed on: December 30, 2011



Stephen G. Conklin  
100 Spangler Road  
Lewisberry, Pa. 17339  
(717) 460-5450

IN THE UNITED STATES DISTRICT COURT OF PENNSYLVANIA  
FOR THE MIDDLE DISTRICT

Stephen G. Conklin :  
Plaintiff : 1:10-CV-2501  
v. : Hon. Robert D. Mariani  
: (MDJ Thomas M. Blewitt)  
Kristine M. Anthon, et. al. :  
Defendants : Temporary Restraining Order

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CERTIFICATE OF CONCURRENCE/NONCONCURRENCE

In accordance with the Rules of the Middle District, I, Stephen G. Conklin, Plaintiff in the above-captioned matter do hereby verify that I contacted each of the four (4) attorneys who have entered their appearances on behalf of various Defendants, with the following results:

Geri Romanello St. Joseph (on behalf of the Judicial Defendants). As of 12:16pm. via her secretary, Lydia, Attorney St. Joseph was not available and the detailed message was being forwarded to her.

Michael Flannelly (on behalf of Defendants, York County Sheriff's Office, Sheriff Richard P. Keuerleber and Deputy John Doe) As of 12:19 pm, Attorney Flannelly was out until January 3<sup>rd</sup>. Plaintiff left a detailed message on his voicemail.

Edwin A.D. Schwartz (on behalf of Defendant Lawrence T. Himes, Jr.) As of 12:02 pm, Plaintiff left a detailed voice message.

John B. Joyce (on behalf of Defendants JPMorgan Chase, EMC Mortgage Corporation, and Grenen & Birsic, et. al.) As of 12:23pm their office was closed; Plaintiff left a detailed message on the operator's answering machine.

December 30, 2011

  
\_\_\_\_\_  
Stephen G. Conklin

IN THE UNITED STATES DISTRICT COURT OF PENNSYLVANIA  
FOR THE MIDDLE DISTRICT

Stephen G. Conklin	:	
Plaintiff	:	1:10-CV-2501
v.	:	Hon. Robert D. Mariani
	:	(MDJ Thomas M. Blewitt)
Kristine M. Anthou, et. al.	:	
Defendants	:	Temporary Restraining Order

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CERTIFICATE OF SERVICE

I, Stephen G. Conklin, do hereby certify this 30<sup>th</sup> day of December, 2011, that I caused to be served, true and correct copies of Plaintiff's Motion for Temporary Restraining Order by first class, U.S. Mail, postage prepaid upon the following parties:

Edwin A. D. Schwartz, Esq.  
Marshall Dennehey Warner  
Colman & Goggin  
4200 Crums Mill Rd., Suite B,  
Harrisburg, Pa. 17112

Michael W. Flannelly, Esq.  
Solicitor for York County  
28 East Market St., 2<sup>nd</sup> Fl.  
York, Pa. 17401

Geri Romanello St. Joseph, Esq.  
Administrative Office of Pa. Courts  
1515 Market St., Suite 1414  
Philadelphia, Pa. 19102

John Joyce, Esq.  
Grenen & Birsic, P.C.  
One Gateway Center, 9<sup>th</sup> Fl.  
Pittsburgh, Pa. 15222

By: 

Stephen G. Conklin  
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Lewisberry, Pa. 17339  
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IN THE UNITED STATES DISTRICT COURT OF PENNSYLVANIA  
FOR THE MIDDLE DISTRICT

Stephen G. Conklin	:	
Plaintiff	:	1:10-CV-2501
v.	:	Hon. Robert D. Mariani
	:	(MDJ Thomas M. Blewitt)
Kristine M. Anthou, et. al.	:	
Defendants	:	Temporary Restraining Order
	:	

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ORDER

AND NOW, to wit, this \_\_\_ day of \_\_\_\_\_, 201\_\_, in  
consideration of Plaintiff's Motion for Temporary Restraining Order it is  
hereby ORDERED, Plaintiff's Motion is GRANTED.

BY THE COURT:

\_\_\_\_\_ J.