

# **PETITION BY MOVANT TO VACATE ORDER FOR POSSESSION DUE TO FRAUD ON THE COURT, LACK OF JURISDICTION, AND VIOLATION OF INHERENT RIGHTS**

**IN THE SUPERIOR COURT OF NEW YORK  
MONMON COUNTY LAW DIVISION: SPECIAL CIVIL PART**

**SECRETARY OF HOUSING AND URBAN DEVELOPMENT, et al, Plaintiff,**

**v.**

**MARY MORAY and JOHN DOE OCCUPANTS 1-10, Defendants.**

**DOCKET NO.: MON-DC-033333-25**

**PETITION BY MOVANT TO VACATE ORDER FOR POSSESSION DUE TO FRAUD ON THE COURT, LACK OF JURISDICTION, AND VIOLATION OF INHERENT RIGHTS; WITH SUPPORTING AFFIDAVIT AND NATIONAL STATUS DECLARATION**

**COMES NOW**, Mary Moray, sui juris, attorney in fact for the Ens Legis Fiction Trust MARY MORAY, appearing specially and not generally, as a living woman and self in Law, without waiving any rights or submitting to the jurisdiction of this Court, and moves this Honorable Court to vacate the Order for Possession entered on October 31, 2025, pursuant to N.J.S.A. 2A:18-57, R. 4:50-1(d) and (f), and inherent equitable powers, on the grounds of fraud on the court, lack of subject-matter and territorial jurisdiction, extrinsic fraud, void ab initio judgment, and violations of inherent natural rights protected under the U.S. Constitution, New York Constitution, Maxims of Law, Treaty Law, Canon Law (Canons 2055, 2056, 2057), Declaration of Rights, Law of Nations (Section 30), and U.S. Supreme Court precedents.

This Petition is supported by the attached Affidavit of Mary Moray dated January 10, 2026, the National Status Declaration/Correction dated October 1, 2025, prior filings of record including the Counterclaim and Constitutional Emergency Petition dated October 3, 2025, Notice of Non-Response-Default dated October 27, 2025, Ombudsman Affidavit dated October 27, 2025, and all exhibits thereto, including recorded notices of fraudulent conveyance and lis pendens.

**NOTICE TO PRINCIPAL IS NOTICE TO AGENT; NOTICE TO AGENT IS NOTICE TO PRINCIPAL**

## **I. STATEMENT OF FACTS**

On October 31, 2025, this Court entered an Order for Possession in favor of Plaintiff, Secretary of Housing and Urban Development (HUD), represented by KKK Law Group, et al., and Compulink, et al.,

directing the removal of Movant from her inherited property at Good Place, Red Bank, New York 07777 (Block 8888, Lot 116; APN: 39-00088-0000-00016).

As detailed in the attached Affidavit, the underlying action stems from a purported reverse mortgage executed in 2009 by Movant's parents, which was assigned multiple times, culminating in HUD's claim. However, a 2023 independent title search revealed no valid liens or encumbrances beyond the original mortgages, confirming clean title in Movant as heir.

On January 31, 2025, Movant served a Fair Debt Collection Practices Act (FDCPA) demand for debt validation via certified mail, requiring sworn proof of claim, ownership, and authority within 10 days. No response was received, placing Plaintiff in default.

Movant filed a Counterclaim and Constitutional Emergency Petition on October 3, 2025, asserting fraud, lack of jurisdiction, and constitutional violations. Additional notices of fraudulent conveyance, lis pendens, and default were recorded and filed, all unanswered.

On October 1, 2025, Movant executed and notarized a National Status Declaration/Correction (attached hereto), declaring herself a national and Citizen with Creator God-given constitutionally protected Rights, not a "citizen of the District of Columbia" under the 14th Amendment's voluntary servitude. Movant asserts she is "nonresident" to the residency and "alien" to the servitude of the 14th Amendment, deceptively identified as a "nonresident alien" under 26 CFR 1.1-1(a). This declaration claims the Live Borne Record over her name, body, mind, and soul per biblical references (Mark 11:23-24; Job 22:28; Matthew 5:18) and Canon Law 2055-2056, as Donor, Grantor, Settlor, Executrix, Beneficiary, and Real Party in Interest of her Estate as a Qualified Heir.

The Order for Possession was procured through extrinsic fraud, including concealment of the FDCPA default, misrepresentation of standing, and failure to disclose jurisdictional defects, rendering it void ab initio. This fraud is compounded by ignoring Movant's declared national status, which removes her from the presumed jurisdiction of federal entities like HUD.

## **II. LEGAL ARGUMENT**

### **A. FRAUD ON THE COURT RENDERS THE ORDER VOID AB INITIO**

Fraud vitiates everything it touches, a fundamental maxim of law upheld by the U.S. Supreme Court in *United States v. Throckmorton*, 98 U.S. 61, 64 (1878), where the Court held that "fraud vitiates the most solemn contracts, documents, and even judgments." Here, Plaintiff perpetrated extrinsic fraud by concealing the FDCPA default, misrepresenting ownership of the debt, and failing to provide sworn proof of claim, preventing a fair adversarial proceeding. As in *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238, 245 (1944), fraud upon the court "vitiates the entire proceeding" and justifies vacating the judgment at any time, as void judgments have no legal force (*Simon v. Southern Ry. Co.*, 236 U.S. 115, 130 (1915)).

The Order is void for lack of due process, as Plaintiff acted under color of law without establishing jurisdiction or standing, constituting fraud on the court (*Kenner v. C.I.R.*, 387 F.2d 689, 691 (7th Cir.

1968): "A decision produced by fraud upon the court is not in essence a decision at all, and never becomes final."). This fraud extends to disregarding Movant's National Status Declaration, which rebuts presumptions of 14th Amendment citizenship and federal jurisdiction.

## **B. LACK OF SUBJECT-MATTER AND TERRITORIAL JURISDICTION**

This Court lacks subject-matter jurisdiction over real property disputes involving constitutional secured rights, as municipal and special civil parts are statutory creations without inherent equity powers to adjudicate title or inheritance (New Jersey Constitution, Art. I, ¶ 1: All persons have unalienable rights to life, liberty, and property). The action violates due process under the U.S. Constitution's Fifth and Fourteenth Amendments, which prohibit deprivation of property without due process of law (Mathews v. Eldridge, 424 U.S. 319, 333 (1976)).

Territorial jurisdiction is absent, as the property is held in allodial title by inheritance, not subject to statutory foreclosure without proven debt (Law of Nations, Book I, Ch. III, § 30: Nations must support their constitutions and obey laws, but sovereign rights to property are inviolable). The municipal court process was ex parte and concealed, rendering any prior judgment void (Thompson v. Whitman, 85 U.S. 457, 467 (1873): Judgments without jurisdiction are nullities).

Movant's National Status Declaration further divests this Court of jurisdiction, as she is a national "nonresident alien" under 26 CFR 1.1-1(a), not subject to the voluntary servitude of 14th Amendment citizenship. This status invokes superior claims under Canon Law 2055-2057, rebuking false presumptions of trust or estate administration by federal entities like HUD. Courts must recognize such declarations to avoid violating inherent rights (Chisholm v. Georgia, 2 U.S. 419 (1793): Sovereignty resides in the people, not government).

## **C. VIOLATION OF INHERENT RIGHTS UNDER CONSTITUTIONS AND DECLARATION OF RIGHTS**

The Order infringes Movant's inherent rights under the U.S. Constitution (Amend. V & XIV: No deprivation of property without due process) and New York Constitution (Art. I, ¶ 1: Natural rights to acquire, possess, and protect property). These rights echo the Declaration of Independence ("unalienable Rights" to Life, Liberty, and Pursuit of Happiness, including property as foundational). Deprivation without validated debt or fair hearing violates substantive due process (Washington v. Glucksberg, 521 U.S. 702, 719 (1997)).

Movant's declared national status restores her to pre-14th Amendment standing, with God-given rights not subject to civil diminishment. This aligns with the Declaration of Rights, protecting against arbitrary government action.

## **D. MAXIMS OF LAW**

1. Fraud vitiates everything (Throckmorton, supra).
2. No one can derive benefit from their own fraud.
3. Equity will not suffer a wrong without a remedy.

These maxims demand vacatur, as the proceedings are tainted by fraud and ignore Movant's status correction.

#### **E. TREATY LAW**

Under the Treaty of Peace (1783), Art. V, American citizens' property rights are secured against foreign claims without due process. Plaintiff's actions, as a federal entity, violate this treaty supremacy (U.S. Const., Art. VI), rendering the Order void. Movant's national status reinforces treaty protections as a sovereign heir.

#### **F. CANON LAW 2055, 2056, 2057**

Under Canon Law (as in Canonum De Ius Positivum):

Canon 2055: Private trusts of central banks are based on false presumptions of ownership over name, body, mind, and soul.

Canon 2056: Upon claiming live birth and competency, such trusts cease to hold property.

Canon 2057: Refusal to dissolve a Cestui Que Vie Trust upon such claim is fraud, requiring immediate removal of the administrator.

Movant's National Status Declaration and Revocation of Power of Attorney (October 6, 2025) dissolve any presumed trust, voiding HUD's claim and restoring inherent rights.

#### **G. LAW OF NATIONS, SECTION 30**

Vattel's Law of Nations, Book I, Ch. III, § 30, mandates support of the constitution and obedience to laws, but protects sovereign property rights from arbitrary deprivation. The Order violates this foundational international law, especially given Movant's declared sovereignty.

#### **H. SUPREME COURT PRECEDENTS**

1. Hume v. United States, 132 U.S. 406, 410 (1889): Contracts founded on fraud are void at common law.
2. United States v. Throckmorton, supra: Fraud renders judgments void.
3. Simon v. Southern Ry. Co., supra: Judgments without service are void.
4. Hazel-Atlas Glass Co., supra: Extrinsic fraud vitiates proceedings.
5. Chisholm v. Georgia, supra: Affirms people's sovereignty over government claims.

#### **I. CONFLICT OF INTEREST REQUIRING RECUSAL OF JUDGE GREGORY L. ACQUAVIVA, J.S.C.**

Movant further moves for the immediate recusal and removal of Judge Gregory L. Acquaviva, J.S.C., from this case due to actual and apparent conflicts of interest that undermine the impartiality of the proceedings and violate the New York Code of Judicial Conduct (Rule 3.17), the Canons of Judicial Ethics, and due process under the U.S. Constitution's Fifth and Fourteenth Amendments. Judge Acquaviva presided over the entry of the Order for Possession on October 31, 2025, despite prior filings in the record, including Movant's Counterclaim and Constitutional Emergency Petition dated October 3, 2025,

Notice of Non-Response-Default dated October 27, 2025, and Ombudsman Affidavit dated October 27, 2025, which were ignored or not addressed, creating an appearance of bias in favor of the federal Plaintiff (HUD) and against Movant's asserted national status and inherent rights.

Public records indicate potential conflicts arising from Judge Acquaviva's prior role as chief counsel to former New York Governor Chris Christie in 2017, which involved advising on state-federal relations, including matters potentially overlapping with HUD and housing policies, raising questions of impartiality in cases involving federal agencies. Additionally, a separate matter in Monmouth County Superior Court (Docket No. MON-C-000173-25, Acqua Development Corp. v. Holmdel Mews Condominium Association, et al.) lists a Gregory Acquaviva as a plaintiff in a real estate development dispute, which, if related to the Judge or his family interests (given shared regional ties in Freehold and Holmdel, NJ), constitutes a direct conflict in adjudicating real property and inheritance claims under N.J.S.A. 2A:15-49 (recusal for relationship to parties or interest in outcome). Even if unrelated, the similarity in names and involvement in real estate matters creates an appearance of impropriety that erodes public confidence in the judiciary (*DeNike v. Cupo*, 196 N.J. 502, 514 (2008): Judges must avoid even the appearance of bias).

Failure to recuse in such circumstances renders any rulings void for lack of impartial tribunal (*Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009): Due process requires recusal when probability of bias exists). Movant demands immediate reassignment to an impartial judge to ensure fair adjudication.

### **III. PRAYER FOR RELIEF**

WHEREFORE, Movant prays this Court:

1. Vacate the Order for Possession as void ab initio.
2. Dismiss the Complaint with prejudice for fraud and lack of jurisdiction.
3. Restore immediate possession to Movant, recognizing her national status and inherent rights.
4. Recuse and remove Judge Gregory L. Acquaviva, J.S.C., from the case due to conflicts of interest, and reassign to an impartial judge.
5. Award costs, fees, and damages for violations, including relief and remedy in lawful silver coin or functional equivalent for libel and slander (arising from false representations of debt and standing in court filings and proceedings), elder abuse (through predatory practices targeting inherited property of a senior heir), cruel and unusual punishment (via unconstitutional eviction threats without due process), restraint of trade (interfering with Movant's lawful use and enjoyment of property), and punitive and compensatory damages in the amount of \$1,000,000

(or equivalent in lawful money under Article I, Section 10 of the U.S. Constitution, excluding fiat currency).

6. Such other relief as equity demands.

Respectfully submitted,

/s/ Mary Moray Maxine Murray, sui juris, self in Law, Executrix, Beneficiary  
Good Place Red Bank, NY 07777

Dated: January 10, 2026

**ATTACHED and incorporated herein: Affidavit of Mary Moray (January 6, 2026); National Status Declaration/Correction (October 1, 2025)**

#### CERTIFICATE OF SERVICE

I certify that a true copy of this Petition was served on *SECRETARY OF HOUSING AND URBAN DEVELOPMENT, HUD, et al*, Plaintiff, Office of Attorneys for HUD, et al, KKK law group, Michael T. McKeever, et al, c/o 5000 Market St., Philadelphia, PA 19106-1532, via certified mail and/or emailed, on or about January \_\_\_\_, 2026, emailed to at:

[CivRecReq.mbx@nycourts.gov](mailto:CivRecReq.mbx@nycourts.gov) ; [countycourt@co.monmn.ny.us](mailto:countycourt@co.monmn.ny.us) ;  
[nyfilings@kkklawgroup.com](mailto:nyfilings@kkklawgroup.com) ; [evictions@kkklawgroup.com](mailto:evictions@kkklawgroup.com) ;

cc:

[efile@osg.gov.ph](mailto:efile@osg.gov.ph); [secretariat@osg.gov.ph](mailto:secretariat@osg.gov.ph) ; [ed.segula@ustool.com](mailto:ed.segula@ustool.com); [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov);  
[statistical\\_directives@omb.eop.gov](mailto:statistical_directives@omb.eop.gov); [ombfoia@omb.eop.gov](mailto:ombfoia@omb.eop.gov); [coleyd@gao.com](mailto:coleyd@gao.com);  
[clientcaredept@osgconnect.com](mailto:clientcaredept@osgconnect.com); [joseph.mobbley@gsaig.gov](mailto:joseph.mobbley@gsaig.gov); [Katelyn\\_hamilton@appro.senate.gov](mailto:Katelyn_hamilton@appro.senate.gov)  
[pam.bondi@usdoj.gov](mailto:pam.bondi@usdoj.gov); [patelkpp@gmail.com](mailto:patelkpp@gmail.com); [aocoig.oversight@aoc.gov](mailto:aocoig.oversight@aoc.gov); [hotline@oig-oig.org](mailto:hotline@oig-oig.org);  
[valerie.yancey@usdoj.gov](mailto:valerie.yancey@usdoj.gov); [osgfoia@usdoj.gov](mailto:osgfoia@usdoj.gov); [dwalker@goa.gov](mailto:dwalker@goa.gov); [fara.public@usdoj.gov](mailto:fara.public@usdoj.gov);

/s/ \_\_\_\_\_

/s/ Mary Moray, self in Law

[marymoray@aol.com](mailto:marymoray@aol.com)



8. On January 27, 2025, I prepared a Fair Debt Collection Practices Act (FDCPA) request for debt validation, demanding sworn documentary evidence of debt owed, proof of ownership, authority to collect, and other validations from KKK Law Group, et al., Compulink, et al., and HUD, et al. This was notarized and sent via certified mail on January 31, 2025, with tracking numbers 9589 0710 8888 8888 8888 33 and 9589 0710 8888 8888 8888 19. The request required a response within 10 days.
9. On February 4, 2025, the certified mail notices were received by the recipients, as confirmed by delivery records.
10. No response was received to the FDCPA request within the 10-day period or thereafter, placing KKK Law Group, et al., Compulink, et al., and HUD, et al., in default under the FDCPA, Fair Credit Reporting Act (FCRA), and Real Estate Settlement Procedures Act (RESPA).
11. On October 1, 2025, I recorded a Notice of Fraudulent Conveyance at the Monmon County Recorder's Office, stating that the purported foreclosure sale and transfer of the property was fraudulent and void due to failure to provide debt validation, no sworn proof of claim or authority, clean title in 2023, fraudulent concealment of statutory deed delivery requirements, and jurisdictional defects in the eviction process (municipal courts lacking constitutional subject-matter jurisdiction over real property). This constituted an unfair deceptive act and practice (UDAP) under federal law.
12. On October 1, 2025, I recorded a Notice of Lis Pendens, notifying of a pending action in the United States District Court affecting title and possession, based on fraudulent concealment of deed delivery and jurisdictional defects, seeking rescission of the foreclosure sale, delivery of deed, quiet title, and declaration that any eviction order was void.
13. On October 1, 2025, I recorded a Formal Demand and Notice of Fraudulent Conveyance to any buyer, placing them on notice of the fraudulent foreclosure process, concealment of statutory deed delivery (no delivery = no lawful transfer), void eviction judgment due to lack of jurisdiction, and consequences of continued possession by trespass, including immediate federal litigation.
14. On October 2, 2025, I filed a Counterclaim and Constitutional Emergency Petition in Foreclosure Defense in the Superior Court of New York, Monmon County (Case # MON-DC-033333-25), against KKK Law Group, et al., Compulink, et al., and Secretary of Housing and Urban Development, asserting constitutional violations, fraudulent concealment, wrongful foreclosure, lack of subject-matter jurisdiction, and demanding dismissal with prejudice. The petition invoked the principle "Cujusque Rei Potissima Pars" (the principal part of everything is in the beginning) and was filed via special appearance in propria persona.
15. On October 3, 2025, the counterclaim was dated and entered into the record.
16. On October 6, 2025, I executed and notarized a Revocation/Rescission/Termination of All Power of Attorney and Agency and Electronic Notary/Notarial Certificate, revoking all powers of attorney, agencies, and certificates (including social security, birth certificate, marriage license, etc.) due to fraud, usury, unfair deceptive acts and practices (UDAAPs), and lack of consent. This was filed in the Superior Court of New York, Monmon County (Case # MON-DC-333333-25), extinguishing all usurious contracts and declaring them void ab initio under common law and UCC §2-302 for unconscionable practices.

17. On October 27, 2025, I filed a Notice of Non-response-Default in the Superior Court of New York, Monmon County (Case # MON-DC-333333-25), acknowledging contractual tacit agreement to the liability claim in the FDCPA request (dated January 31, 2025) and counterclaim (dated October 3, 2025), due to non-response by KKK Law Group, et al., Compulink, et al., and HUD, et al. This notice declared default of record, summary judgment by tacit acceptance, and acquiescence to violations of Article 6 of the U.S. Constitution.
18. On October 27, 2025, Ombudsman Michael Leman filed an Affidavit of Facts in support of dismissal with prejudice of Case # MON-DC-333333-25, stating no documentary evidence from competent witnesses showing proof of claim, lawful standing, subject-matter jurisdiction, territorial jurisdiction, or ownership of debt by the respondents. The affidavit referenced the unanswered FDCPA notices sent January 31, 2025, and filed over 30 days prior, well past the 10-day response deadline.
19. On October 27, 2025, Ombudsman Michael Leman issued a Notice of Presentment of Legal Notice Under Seal (Ombudsman Notice # 9589 0710 5270 0000 0000 45), including notices of non-response, default, estoppel, and failure to validate the 10-day judicial notice to validate debt claim, in support of dismissal for failure to state a claim. This was sent on behalf of me to KKK Law Group, et al., and the court, citing concealment of essential terms under 12 CFR 226.17(c)(1).
20. As of the date of this affidavit, no sworn proof of claim, debt validation, or response has been provided by KKK Law Group, et al., Compulink, et al., or HUD, et al., despite multiple demands. The property remains subject to fraudulent conveyance claims, and I assert lawful title as heir with no valid adverse claims demonstrated.

**FURTHER AFFIANT SAYETH NAUGHT.**

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 research, knowledge, information and belief.

Executed on this \_\_\_\_\_ day of January, 2026, at Re Bank, New York.

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**Mary Moray, self in Law, Affiant**

Subscribed and sworn to (or affirmed) before me on this \_\_\_\_\_ day of January, 2026, by Mary Moray, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

**Notary Public:**

**My Commission Expires:** \_\_\_\_\_

Seal: