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Via Electronic Submission and Certified Mail

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Senate Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
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Re: Request for Congressional Oversight — Foreclosure Without Standing and Systemic Denial of Due Process

Dear Chairs:

I respectfully submit the enclosed White Paper, “Foreclosure Without Standing: Evidence of Systemic Judicial Obstruction, Securitization Irregularities, and Due Process Violations in U.S. Courts,” for your review and consideration.

This submission is being transmitted electronically to the addresses and official committee portals listed above and concurrently delivered by Certified Mail to your offices.

The enclosed White Paper documents a consistent, cross-jurisdictional pattern in foreclosure proceedings in which enforcement actions are permitted to proceed without proof of standing, without authentication of evidence, and without adjudication of jurisdictional challenges.

The issue presented is not disagreement with individual judicial outcomes, but the repeated

failure of courts to require threshold proof that a foreclosing party owns or is lawfully authorized to enforce the alleged debt at the time suit is filed.

The findings summarized in this paper are based on review of more than one hundred active foreclosure defense matters across fifteen states, with additional requests for assistance originating from all fifty states.

The same procedural failures appear in both judicial and non-judicial foreclosure jurisdictions, indicating a structural issue rather than isolated error.

Specifically, the paper documents recurring practices including:

- foreclosure actions initiated without production of the original promissory note or proof of ownership at filing;
- systematic denial of discovery necessary to test standing and authority;
- reliance on unauthenticated documents and attorney assertions in place of evidence;
- enforcement actions taken or cases dismissed before jurisdictional issues are adjudicated; and
- disproportionate procedural barriers imposed on pro se litigants raising legally grounded objections.

The cumulative effect is the deprivation of property without meaningful access to evidentiary review or judicial process—matters squarely within Congress's oversight authority concerning judicial administration, access to justice, and federally related mortgage lending.

This submission does not allege personal misconduct or conspiracy. Rather, it respectfully requests Congressional examination of why existing laws requiring standing, evidence, and due process are not being enforced in practice, and whether legislative clarification, data collection, or oversight intervention is necessary to restore lawful foreclosure procedures nationwide.

Thank you for your time and consideration of this serious matter. I am available to provide additional documentation or clarification upon request.

Respectfully submitted,
/s/ 
April LaJune
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Enclosure: National Policy Brief (PDF)

**WHITE PAPER — NATIONAL POLICY BRIEFING
FORECLOSURE WITHOUT STANDING**

*Evidence of Systemic Judicial Obstruction, Securitization Irregularities, and Due Process
Violations in U.S. Courts*

Submitted to the United States Congress
December 23, 2025

WHITE PAPER — NATIONAL POLICY BRIEFING FORECLOSURE WITHOUT STANDING

Evidence of Systemic Judicial Obstruction, Securitization Irregularities, and Due Process
Violations in U.S. Courts

EXECUTIVE SUMMARY

This white paper documents a nationwide pattern of foreclosure actions proceeding without proof of standing, without production of the original Note, and without judicial review of evidence. When homeowners challenge the validity of assignments, signatures, securitization, or chain of title, they are consistently met with a predictable sequence of institutional obstruction: clerks block filings, judges deny discovery, sheriffs execute void orders, and state officials defend judicial misconduct.

These cases span 15 states and involve over 100 active foreclosure defense clients, with additional requests coming from all 50 states. The same pattern appears in both judicial and non-judicial foreclosure states.

This pattern is repeatable, measurable, and structurally consistent.

Homeowners are not losing homes because evidence shows they owe a debt.

They are losing homes because the courts refuse to examine evidence.

Whether through neglect, bias, or structural incentive, the outcome is the same:

Due process fails, evidence is suppressed, and fraudulent foreclosures go unchallenged.

METHODOLOGY AND SCOPE

This white paper is based on direct case review, procedural filings, court orders, and firsthand observation across more than 100 foreclosure defense matters spanning 15 states. Cases were selected based on documented challenges to standing, jurisdiction, or chain of title, and the subsequent judicial handling of those challenges.

The case studies included herein are representative, not exhaustive, and are presented to illustrate recurring procedural outcomes observed across multiple jurisdictions.

SECTION 1 — THE ISSUE

Mortgage servicers routinely initiate foreclosure actions without proving standing. When

challenged, they frequently fail or refuse to produce:

- The original wet-ink promissory note
- Chain of assignments
- Evidence of agency from the creditor
- Verification that the plaintiff owns the debt

Instead, homeowners are told to “just pay,” courts accept attorney assertions without proof, and discovery is denied before evidence is reviewed.

A court cannot rule without jurisdiction.

Standing is a requirement, not a suggestion.

Standing is a jurisdictional prerequisite under both state foreclosure statutes and federal constitutional due process; without it, courts lack authority to adjudicate or enforce foreclosure.

SECTION 2 — SECURITIZATION AND LOSS OF STANDING

Once a loan is securitized:

- Beneficial interest transfers to investors
- The Note and Deed are separated
- The original lender often no longer exists

When a loan has been securitized, the servicer does not own the Note and cannot foreclose.

Standing must be proven with evidence—not verbal claims from attorneys.

Yet in case after case, courts refuse to compel production of the Note.

SECTION 3 — STRUCTURAL OBSTRUCTION

In multiple states, at different court levels, homeowners experience the same obstruction sequence:

1. Evidence is not viewed.
2. Discovery is denied.
3. Judges refuse to produce their statutory Oaths of Office.
4. Clerks block filings and misdirect litigants.

5. Bailiffs intimidate filers.
6. Sheriffs execute orders without jurisdiction.
7. Assistant Attorneys General defend judges acting in their private capacity.

The actors differ.

The sequence does not.

When the same misconduct occurs in multiple courts, across multiple states, the behavior is systemic—not accidental.

SECTION 4 — CASE STUDIES (REAL NAMES, REAL COURTS)

Case Study 1: Michael Dean — Florida

Key Issue: A forged \$800,000 loan was placed on his home using his name and identity, and even with an expert handwriting affidavit proving he did not sign the document, no judge has allowed the forgery to be examined in 19 years. The record reflects that expert forensic evidence contesting the authenticity of the loan documents was submitted, yet no court permitted evidentiary examination, discovery, or adjudication of the alleged forgery prior to enforcement actions proceeding.

Case Study 2: Karen Morton — Texas

Key Issue: The judge refused to look at evidence or compel the mortgage servicer to produce any proof, denying every motion Karen filed while allowing attorneys to violate procedural rules. The court declined to compel production of the original promissory note, proof of ownership of the debt, or evidence of authority to foreclose, denied all defense motions, and permitted opposing counsel to file procedurally defective submissions without adjudication of standing.

Case Study 3: John Randall Scott and Kristin Scott — Texas

Key Issue: A Justice of the Peace judge continued eviction proceedings despite a pending federal case involving title—an issue the JP court has no jurisdiction over. Eviction proceedings continued in Justice of the Peace Court despite a pending federal case involving title and standing, issues beyond the jurisdictional authority of the JP court, and without resolution of ownership or authority to enforce the debt.

Case Study 4: Steve Heinon — Kansas

Key Issue: The judge held Steve to strict attorney-level standards while allowing the opposing

attorney to file defective motions and violate procedural rules. The court applied strict procedural and evidentiary standards to the homeowner while allowing opposing counsel to submit unauthenticated filings and procedurally defective motions, without requiring proof of standing or ownership of the debt.

Case Study 5: Tyrone Hill — New York

Key Issue: The judge refused to consider any evidence submitted by Tyrone, while the servicer's attorneys avoided rebutting anything. Evidence submitted by the homeowner contesting standing and authority was not adjudicated, while foreclosure proceedings advanced without the court requiring authentication of documents or rebuttal of the legal authority cited in defense filings.

Case Study 6: Esmeralda Hernandez — Texas

Key Issue: The clerk refused to issue summons, misdirected her to the wrong court, and the bailiff physically stood by to intimidate her family while filing. The judge stated he already knew how he would rule before the hearing began. Court access was impeded by clerical refusals to issue summons and procedural misdirection, followed by judicial statements indicating a predetermined outcome prior to hearing, without adjudication of standing or review of evidence submitted.

SECTION 5 — SCALE OF THE CRISIS

- Over 100 current foreclosure defense clients
- Cases span 15 states
- Homeowners from all 50 states are reaching out for help
- The majority cannot afford representation

When homeowners challenge standing, the system blocks their ability to do so. This confirms a systemic structural failure.

SECTION 6 — PATTERN EVIDENCE (CROSS-STATE BEHAVIOR)

Across these cases:

- Evidence was not rejected; it was not allowed to be seen.
- Foreclosure judgments proceeded without proof that the plaintiff owned the debt.

- Courts refused to compel production of the original Note.
- Judicial outcomes were decided before hearings began.

Multiple states.

Multiple judges.

Same misconduct.

SECTION 7 — STRUCTURAL FAILURE (THE CRITICAL POINT)

The consistency of these outcomes across jurisdictions indicates that the issue is not limited to individual judges or isolated errors, but reflects a broader structural failure in the adjudication of foreclosure cases.

This paper does not allege personal conspiracy.

Instead, it documents a structural failure that produces the same outcome across states and jurisdictions:

Fraud goes unexamined, and due process is blocked.

Whether by design or neglect, the result is the same: Homeowners are deprived of constitutional rights.

SECTION 8 — RECOMMENDED ACTIONS

1. Based on the documented pattern of foreclosure actions proceeding without adjudication of standing, authentication of evidence, or meaningful access to discovery, the following actions fall squarely within Congressional oversight and legislative authority:

2. Standing Verification Requirement

Require mandatory verification of standing as a condition precedent to foreclosure proceedings involving federally related mortgage loans, including proof of ownership of the debt at the time of filing.

3. Original Note Production Standard

Establish a uniform requirement that foreclosure plaintiffs produce the original wet-ink promissory note, or documented, verifiable authority from the lawful noteholder, prior to any foreclosure judgment or enforcement action.

4. Authentication and Evidence Standards

Prohibit reliance on unauthenticated copies, images, or attorney representations as evidence of standing, ownership, or authority in foreclosure proceedings involving federally regulated financial institutions.

5. Discovery Protections for Jurisdictional Challenges

Require courts to permit limited jurisdictional discovery where standing, ownership, or authority is contested, and prohibit dismissal with prejudice prior to factual adjudication of those issues.

6. Judicial Transparency Measures

Require availability of judicial Oaths of Office and clarify mechanisms for public verification where judicial authority is questioned in proceedings involving deprivation of property.

7. Executive Enforcement Safeguards

Prohibit sheriffs and other executive enforcement officers from executing foreclosure or eviction orders where jurisdictional authority has been formally challenged and remains unresolved.

8. Chain-of-Title Transparency

Direct federal agencies to study and implement a national, auditable registry for mortgage chain-of-title documentation, including securitization transfers, to prevent enforcement actions without verified ownership.

9. Oversight Hearings and Data Collection

Conduct oversight hearings and require data collection on foreclosure cases dismissed, enforced, or adjudicated without production of original loan documents or proof of standing, with particular attention to pro se litigants.

SECTION 9 — CONCLUSION

A foreclosure system with no requirement to prove legal standing is not justice; it is asset seizure disguised as process.

The question is no longer:

“Did fraud occur?”

The question now is:

“Why are courts preventing evidence of fraud from being seen?”

When multiple actors across multiple states produce the same violations, the conclusion is clear:

This is not coincidence. This is a system.

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