



UNITED STATES BANKRUPTCY COURT, SOUTHERN DISTRICT OF NEW YORK;

In Re: Residential Capital, LLC., et al., And,) Case No. 12-bk-12020 (MG)
 In Re: GMAC, Mortgage Co., et al,) Chapter 11 (Ch.11, Joint Admin.)
 Debtors) (Related BR Case No.07-bk-57237, S.D., OHIO)
) (Related BR Case No. 12-bk-12032, S.D., N.Y.)
) JUDGE: GLENN, MARTIN
 UNITED STATES of America, Ex Rel.,)
 Yvonne D. Lewis, et al.,) Adversary Case No.: 1:12-adv-1731
 Plaintiffs/ Surplus Creditors) (Related Case Nos. 1:12-bk-12020, 1:12-bk-12032;
 Vs.) 05-CV-7346 (03-CV-7478); 03-CV-10836;
) 05-CV-4555; 03-CV-6954);(11-AP-875,
 GMAC, Mortgage Co., et al,) COA10th Dist., OHIO), (10-AP-110, COA10th
 Defendants/ Bankrupt Debtors,) Dist., OHIO)
)
) **PLAINTIFFS' MOTION FOR LEAVE TO FILE**
) **FIRST AMENDED COMPLAINT**

UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF OHIO;
 (at Columbus)

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
 [26 USC §§ 101(h), 267(b)(1)][42 U.S.C. §§ 4651(2),7407(d)(1)(C)(i)]

In Re: SIDNEY T. LEWIS, pro se,) Case No. 2:07-bk-57237
) (Ch.7)
 Debtor) (Related Bankr Case No. 2:05-bk-75111)
)
 Social Security No.: xxx-xx-5959) JUDGE: HOFFMAN, JOHN, Jr.

In Re: Yvonne D. Lewis,) Case No. 2:05-bk-75111
) (Ch.7)
 Debtor) (Related Case No. 2:07-bk-57237)
)
 Social Security No.: xxx-xx-2390) JUDGE: HOFFMAN, JOHN, Jr.

IN THE UNITED STATES DISTRICT COURT, S. D. OF OHIO
 EASTERN DIVISION (at Columbus)

UNITED STATES of America, Ex Rel.,)
 Sidney T. Lewis, et al.,) Action No. 2:08-cv-1042
 Plaintiffs) (Related Dist. Ct. Cases 2:08-cv-16; 2:96-cv-494;
 Vs.) 2:09-cv-179; 2:08-cv-75, at Doc. No. 65);
 JUDGE: HOLSCHUH



Larry McClatchey, et al.,
Defendants

) Magistrate Judge: KING
[26 USC §§ 267(b)(1), 4975(e); 18 USC § 1962]

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FRIENDS OF THE EARTH, et al.,
Plaintiff,

Vs.

UNITED STATES E.P.A. and
LISA JACKSON, Administrator,
Defendants.

)
) Case: 1: 12-cv-00363
) (RELATED Case: 1: 12-cv-00361)
) [26 USC §§ 267(b)(1), 4975(e); 18 USC § 1962]
) Assigned To: Jackson, Amy Berman, Judge
)
)
)
)
)
)

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

SECURITIES AND EXCHANGE COMMISSION)
Plaintiff,)

vs.)

AMERICAN EQUITY INVESTMENT LIFE)
HOLDING COMPANY;)
DAVID J. NOBLE; and)
WENDY C. WAUGAMAN,)
Defendants.)

Case No. 4:10-cv-87

[26 USC §§ 267(b)(1), 4975(e); 18 USC § 1962]

IN THE COURT OF APPEALS, FRANKLIN COUNTY; OHIO
TENTH DISTRICT COURT OF APPEALS

UNITED STATES OF AMERICA, EX REL.

GMAC, Mortgage Co., et al.,
Plaintiffs/Creditor

Vs.

Yvonne D. Lewis, et al.,
Defendants/Discharged Debtors

: Case No. 12-AP-506, COA10th Dist., Ohio
(Related Case Nos. 02-MS-20; 05-JG-6455;
: 05-CV-7346 (03-CV-7478); 03-CV-10836;
05-CV-4555; 03-CV-6954)(11-AP-875)

UNITED STATES SUPREME COURT;

Charles STRUBE, et al., Living Trust Beneficiary,)
Beverly MALONE, Living Trust Beneficiary,)
Appellant,)
11th Cir. No. 06-35, Certiorari denied.
No. 05-13014 / No. 05-11461
) Removed USDC, M.D., FL, case # 01-cv-1236

) [26 USC §§ 267(b)(1), 4975(e); 18 USC § 1962]
vs.)
) Reported below: 158 Fed. Appx. 198.
AMERICAN EQUITY ("AEL"), et al.,)
Appellee.)

UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT; AT FL.

Charles STRUBE, et al., Living Trust Beneficiary,)	No. 05-11461 Non-Argument Calendar;
Beverly MALONE, Living Trust Beneficiary,)	No. 05-13014 Non-Argument Calendar
Plaintiffs/Appellants,)	Removed from case no. 6:01-cv-1236
)	[26 USC §§ 267(b)(1), 4975(e); 18 USC § 1962]
vs.)	
)	Before ANDERSON, BLACK and PRYOR,
AMERICAN EQUITY ("AEL"), et al.,)	Circuit Judges.
Defendants/Appellees.)	

PLAINTIFF'S MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT

Yvonne D. Lewis and Sidney T. Lewis, plaintiffs, creditors and movant in the above-entitled and numbered adversary case no. 1:12-1731, U.S.D.C., S.D., NY., respectfully move for leave to file their First Amended Complaint *instantly*. In support of this motion, states the following:

1. plaintiffs filed this pro se false claims complaint ("Complaint") after May 14, 2012 as adv. case no. 1:12-1731, U.S.D.C., S.D., NY., due to the Debtors failure to include interest of the "United States of America" pursuant to the permanent aviation easement attached to the plaintiffs 1975 FHA Mortgage Deed at issue under the Debtors April 4, 2012 consent judgment incorporated in the interim orders below at Docs 47 & 90.
2. In this Adv. Complaint, Yvonne D. Lewis and Sidney T. Lewis contend that Debtors caused injury to the UNITED STATES OF AMERICA and plaintiffs by Equity Skimming and aiding and abetting in a RICO enterprise (Doc 14) through a false "self declaration" under "state common law" by Affidavit of James Whitlinger (Doc 6) and "Equity Skimming" and "RICO" by concealment of state law Judgment lien in case 05-jg-6455 and federal FAA, FAR part 150, preemptions 42 USC §§ 7573, 4621(c)(4) (See: Doc 13-4, at pg. 5, lines 1-8); And failure to mitigate loss nor modify the

1975 FHA mortgage loan of plaintiff Yvonne D. Moore a/k/a Yvonne Lewis as allegedly foreclosed upon on **Sept. 12, 2011** (See: Doc 11-7, at pg. 3 of 7, P.7) as within the class period beginning on January 1, 2008 and ending on December 31, 2011 for this courts interim orders, Doc. 47 & 90 [see: Docs. 47 & 90], as prematurely rejected by the state of Ohio notwithstanding the RICO enterprise in Ohio Related Bankr Case Nos. 2:05-bk-75111, and 2:07-bk-57237, USBRC, S.D., OH.; and 2:96-cv-494, and 2:08-cv-75, at Doc. No. 65 ("Dismissal Order"), USDC, S.D., OH..

3. Unattached hereto, and to be filed upon the Court's GRANTING of this motion, will be Plaintiffs FIRST AMENDED COMPLAINT which shall provide additional factual details, indispensable parties, and evidence of the Skimming, RICO, and Breach of this Court's Interim Orders, with first court jurisdictional evidence of Debtors RICO enterprise in case nos 2:96-cv-494, and 2:08-cv-75, at Doc. No. 65 ("Dismissal Order"), USDC, S.D., OH., and evidence of Debtors Equity Skimming and False Mortgage Loss Mitigation Insurance Claims under HUD's National Housing Programs and FAA's Noise and Air Pollution Mitigation Programs in case nos. 1:12-cv-361 and 1:12-cv-363, USDC, DC., regarding the basis of this bankruptcy remedial action as related to the defective and prohibited "SELF DECLARATION" of Whitlinger (Doc 6) under state "common law".

WHEREFORE, Plaintiff respectfully requests that this Court grant leave to file the Plaintiffs First Amended Complaint unattached hereto *instantly*, and award any further relief that this Court deems just and proper related to the false and prohibited "common law" "SELF DECLARATION" of Whitlinger (Doc 6).

Respectfully Submitted,

Dated: Sept. 19, 2012 *Sidney Lewis*
Sidney T. Lewis, pro se
1875 Alvason Avenue
Columbus, OH 43219

Dated: Sept. 19, 2012 *Yvonne D. Lewis*
Yvonne D. Lewis, pro se
1875 Alvason Avenue
Columbus, OH 43219

CERTIFICATE OF SERVICE

A copy of the foregoing: PLAINTIFF'S MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT, was served on Debtors counsels of record, and other parties to the instant action, by hand delivery, electronic mail service, or by certified U.S. Mail Service, Postage Prepaid on Sept. 19, 2012.

Dated: Sept. 19, 2012 *Sidney Lewis*
Sidney T. Lewis, pro se

Dated: Sept. 19, 2012 *Yvonne D. Lewis*
Yvonne D. Lewis, pro se