IT IS SO ORDERED.

Dated: November 24, 2025

Tyson A. Crist
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

In re:	:	
	:	Case No. 25-30619
Marguerite Latete Kilpatrick,	:	Chapter 7
	:	Judge Crist
Debtor.	:	
	:	

ORDER DENYING FORMER DEBTOR'S EMERGENCY MOTION FOR STAY PENDING DETERMINATION OF MOTION TO WITHDRAW THE REFERENCE (DOC. 85)

I. Introduction

This matter is before the Court on just the latest in a series of sovereign citizen-based filings by former pro se Debtor Marguerite Latete Kilpatrick ("Ms. Kilpatrick"), notwithstanding that her chapter 7 bankruptcy case was dismissed on October 1, 2025, that the dismissal order is final and non-appealable, and, by design, bars her from filing another bankruptcy for one (1) year so that she cannot further abuse the bankruptcy process for the sole purpose of further staying a foreclosure action in the Common Pleas Court, Montgomery County, Ohio. In short, Ms. Kilpatrick, likely with the assistance of artificial intelligence ("AI"), such as ChatGPT, to cite the applicable statute, case law (including non-existent case law), and rules, is seeking to misuse the statutory procedure for withdrawal of the reference under 28 U.S.C. § 157(d) to accomplish

indirectly what she can no longer accomplish directly, which is to impose a stay of a foreclosure action, which may have recently resulted in a lawful auction sale.[1] But the dismissal of her most recent pro se bankruptcy is final and non-appealable. And there is no merit to her present filings. Moreover, under Rule 5011(c) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), which Ms. Kilpatrick relies upon for her Emergency Motion for Stay (as defined below), this Court cannot impose a stay of the foreclosure action before the Common Pleas Court, it could only stay "proceedings in a case" before this Court; however, there is no case before this Court, only the retained issue of whether and what type of sanctions to impose on Ms. Kilpatrick pursuant to Bankruptcy Rule 9011(c).

Notwithstanding this Court's prior orders denying and ultimately striking her twenty-seven (27) previous sovereign citizen filings based on debunked pseudo-legal theories that bore no resemblance to legitimate filings,[2] Ms. Kilpatrick has filed motions with this Court based on her complaint that one of her previous sovereign citizen filings was not respected or ruled upon. She also makes false assertions in support of those complaints, as well as citing non-existent case law.

Now before this Court is Ms. Kilpatrick's Emergency Motion for Stay Pending Determination of Motion to Withdraw the Reference (the "Emergency Motion for Stay") (Doc. 85), along with, and based upon, her Motion to Withdraw the Reference (Doc. 86) (the "Motion to Withdraw the Reference") (together, the "Motions").[3] The Court will address the Emergency Motion for Stay, pursuant to Bankruptcy Rule 5011(c), within this Order. The Court will also enter and transmit a short Report and Recommendation to the District Court, along with the Motion to Withdraw the Reference pursuant to 28 U.S.C. § 157(d), Bankruptcy Rule 5011(a), and Local Bankruptcy Rule 5011-1(d), to aid the District Court in its consideration of this matter and to

[1] The online docket for the foreclosure action, Case No. 2023 CV 04593 (Mont. Cnty. C.P.) reflects that on October 8, 2025, a Return of Private Selling Officer on Writ for Order of Sale and Cost Report was filed stating that 108 Barnside Drive, Englewood, Ohio 45322 was sold through an online auction that ended on September 30, 2025, to a third party for $258,821.

[2] Interestingly, the Court of Common Pleas, Montgomery County, Ohio had previously addressed her sovereign citizen filings before that Court (before she filed them in this Court) and had reached the same conclusion as this Court—that they were meritless sovereign citizen filings.

[3] Ms. Kilpatrick also filed a Notice of Errata Regarding Debtor's Capacity (Doc. 87), which appears to have been intended to recharacterize the purported capacity in which she signed all her prior sovereign citizen filings, perhaps in an effort to purge her failure to sign those filings in compliance with Bankruptcy Rule 9011(a). In the Notice of Errata Debtor "expressly ratifie[d] and adopt[ed] all prior pleadings, motions, and notices." Notice of Errata at ¶ 4.

recommend that the Motion to Withdraw the Reference likewise be denied.[4] This Court will also attach its prior orders denying and striking all of Ms. Kilpatrick's sovereign citizen filings, as well as this Order, to the short Report and Recommendation, as Exhibits A, B and C.

The Emergency Motion asserts that "[o]n May 14, 2025, Movant filed a *Verified Notice of Interest* ("VNOI") placing the Court and parties on actual and constructive notice of Movant's equitable and beneficial interest in the identity-linked trust *res*." Doc. 85 at 1, ¶ 1. She does not, however, attach this VNOI to her current Motions, likely because it clearly was not filed on May 14, 2025, as she asserts. The most important point, however, is that the VNOI is a sovereign citizen type document with absolutely no legal merit that Ms. Kilpatrick made up (or adopted from somebody else who made it up) and does not create any legal interest in real estate or have the effect of staying any actual legal rights. This is simply a perpetuation of her sovereign citizen-based quest and is deserving of no relief. At this point, it may be possible to classify Ms. Kilpatrick as a vexatious litigator who should no longer be afforded the opportunity to file any papers with this Court. Her filings are not only baseless, but they contain false, misleading, and inappropriate assertions. *See Burks v. Licking Cnty. Child Support Enf't Agency*, No. 2:24-cv-2330, 2025 U.S. Dist. LEXIS 31341, 2025 WL 580389 (S.D. Ohio Feb. 21, 2025) (describing voluminous filings related to sovereign citizen type arguments as frivolous and wasteful of court resources).

II. Summary

There are a myriad of procedural and jurisdictional problems with Ms. Kilpatrick's current Motions. First and foremost, she fails to appreciate that there is nothing to withdraw from this Court, given that there is no longer a pending bankruptcy case. This was her third pro se bankruptcy within the last year and it was dismissed due to her failure to comply with her duties as a Debtor and because "the debtor is a serial bankruptcy filer who is using her bankruptcy filings to improperly delay a pending foreclosure proceeding before the Montgomery County Court of Common Pleas." U.S. Trustee's Mot. to Dismiss With Prejudice (Doc. 38) at 1 (citing to Case No. 2023 CV 04539 as the "Foreclosure Case"[5]). Her conduct also constituted cause to bar her from filing any further bankruptcies for a full year pursuant to 11 U.S.C. § 707(a). *See* Order Granting

[4] Although this Court is reticent to transmit these frivolous filings, it appears that both Bankruptcy Rule 5011(a) and LBR 5011-1(d) compel this step.

[5] Hereinafter, the Foreclosure Case will be referred to as the "foreclosure action."

U.S. Trustee's Mot. to Dismiss With Prejudice and One (1) Year Bar to Refiling (Doc. 79) at 5, ¶ 3 ("The Debtor is hereby **BARRED** from filing for bankruptcy protection anywhere in the United States for a period of one (1) year from the date of entry of this Order pursuant to 11 U.S.C. §§ 105(a), 109(g)(1), and 349(a).").

The only matter remaining before this Court is the imposition of appropriate sanctions against Ms. Kilpatrick, pursuant to Bankruptcy Rule 9011(c), under this Court's reservation of post-dismissal "clean up" jurisdiction. But she is requesting the District Court to withdraw the reference for an entire dismissed bankruptcy case, from which no appeals have been taken and nothing remains to be determined, except for the matter of sanctions due to her numerous and continuing frivolous filings, which is uniquely within this Court's present knowledge. Even Ms. Kilpatrick admits that "the estate has already been dismissed and no active administration remains." Emergency Mot. for Stay at 2, ¶ II.3.

In the Emergency Motion for Stay, she asks this Court to stay its July 17, 2025[6] order granting relief from the automatic stay for Lakeview Loan Servicing, LLC ("Mortgagee") to continue its foreclosure action in the Common Pleas Court, which this Court simply cannot do given that there is no ability, and absolutely no cause, to reimpose a stay following the dismissal of her bankruptcy case. By statute, 11 U.S.C. § 362(c), the dismissal of a bankruptcy terminates the automatic stay as a whole, not just for specific actions as was the case with the prior order granting relief from stay that she focuses on. Moreover, the order dismissing her chapter 7 bankruptcy specifically terminated the automatic stay and barred her from filing another bankruptcy for one (1) year so that she could not further abuse the bankruptcy process for the sole purpose of further staying the foreclosure action. Nevertheless, she asserts that "[t]he apparent completion of a foreclosure action, . . . in disregard of a previously filed Verified Notice of Interest, constitutes **good cause for emergency stay**." Emergency Mot. for Stay at 2, ¶ II.4 (emphasis in original).

Ms. Kilpatrick did not oppose the underlying motion for relief from the automatic stay (Doc. 30) filed by the Mortgagee on June 16, 2025; she did not appeal the order granting stay relief (Doc. 34) entered on July 18, 2025; she did not oppose the motion to dismiss her bankruptcy case

[6] Ms. Kilpatrick refers to the filed date of July 17, 2025; however, the entry date of July 18, 2025, as reflected in the ECF stamp, will be referred to in the remainder of this order.

with prejudice (Doc. 38) filed by the United States Trustee on July 31, 2025; and she did not appeal the order dismissing her bankruptcy case and barring her from filing another for one (1) year (Doc. 79) entered on October 1, 2025. Because her whole bankruptcy case has since been dismissed through an order that specifically and by operation of law terminated the automatic stay in its entirety, and because she has been barred from filing another bankruptcy case, there is no basis to impose a stay and this Court will not entertain her attempted end-run through the current Emergency Motion for Stay.

The alleged emergency is false. There is nothing pending before this Court relating to Ms. Kilpatrick's real estate given that her bankruptcy case was previously dismissed and the automatic stay no longer exists under the Bankruptcy Code, Title 11 of the United States Code, as further discussed below. There is no pending matter before this Court relating to her real estate that can be stayed at this time, but more pertinently, no way for this Court to reimpose any stay of the foreclosure action given that her case was dismissed. Kilpatrick did not oppose or appeal that dismissal, and she has been barred from filing further bankruptcies for one year. The only thing still "live" with respect to the dismissed bankruptcy case is this Court's retention of "clean up" jurisdiction to address the potential imposition of sanctions based on her numerous frivolous sovereign citizen filings.

The Motions are just another frivolous and misguided effort to use the bankruptcy process to attempt to forestall the completion of a foreclosure action against her real estate,[7] and possibly to stave off this Court's consideration of sanctions against her pursuant to Rule 9011 of the Federal Rules of Bankruptcy Procedure, resulting from her prior barrage of filings that began, in this Court, forty-six (46) days ***after*** Ms. Kilpatrick failed to oppose relief from the automatic stay for her Mortgagee to finally complete its foreclosure action initiated in the Court of Common Pleas, Montgomery County, Ohio on August 25, 2023. These Motions presume that her VNOI sovereign citizen filing validly asserted a cognizable interest and that something is still pending in this case regarding her real estate that could be withdrawn to the District Court. Neither is true. The VNOI was previously stricken as a frivolous sovereign citizen filing and stay relief was granted on July

[7] In addition to requesting a stay of the "enforcement of the July 17, 2025 Order Granting Relief from Stay," Ms. Kilpatrick asks that this Court "prohibit any foreclosure sale, transfer, or other disposition affecting identity-linked trust *res*, particularly 108 Barnside Drive, Englewood, Ohio, until jurisdiction is resolved." Emergency Mot. for Stay at 3, ¶ V.3. But it is clear that neither this Court nor the District Court would have jurisdiction over the real estate at this point given there no longer is an estate.

18, 2025, followed by the dismissal of her bankruptcy case. Thus, the Motions lack any basis and, just like her prior sovereign citizen filings on which they are based, they are frivolous.

For all the foregoing reasons, which will be discussed in more detail below, this Court will deny the Emergency Motion for Stay.

III. Background

A. Overview

The background to the present Motions is somewhat involved due to Ms. Kilpatrick's serial pro se bankruptcies, bad faith conduct, and her mountain of sovereign citizen filings. Ms. Kilpatrick has abused the bankruptcy process, has peppered this Court (and the Common Pleas Court) with sovereign citizen filings and, through her current filings, continues to do so, in an on-going effort to retain her real estate through frivolous legal maneuvers. This is notwithstanding that her sovereign citizen filings, on which she bases the current Motions, have been rejected by both the Common Pleas Court and this Court, and notwithstanding that her underlying bankruptcy case was dismissed on October 1, 2025 (Doc. 79) with a one (1) year bar to refiling.

To give context to consideration of the present Motions, this Court will attempt to briefly describe the history of Ms. Kilpatrick's travails.

B. Foreclosure Action

According to the online docket of the Common Pleas Court of Montgomery County, Ohio, Lakeview Loan Servicing, LLC initiated the foreclosure action, Case No. 2023 CV 4539, against Ms. Kilpatrick on August 25, 2023. This is the same foreclosure action referenced by the United States Trustee in his motion to dismiss Ms. Kilpatrick's third bankruptcy case, which she filed to stop the foreclosure action.

Interestingly, Ms. Kilpatrick, prior to and soon after filing her third bankruptcy case, had previously filed a number of sovereign citizen filings in the Common Pleas Court. The Common Pleas Court dealt with some of her similar submissions, months before she began to submit her sovereign citizen filings to this Court, in an Entry and Order Striking Defendant's Plea of Tender and Notice of Special Deposit, entered on April 16, 2025 (the "Entry and Order"). Therein, the Common Pleas Court wrote, in language similar to that later used by this Court in rejecting her sovereign citizen filings, as follows:

This matter is before the Court on the *Declaration of Representative Capacity* and *Plea of Tender and Notice of Special Deposit*, both filed on April 7, 2025 by Defendant Marguerite Latete Kilpatrick, and *Plaintiff's Response in Opposition to Plea of Tender and Notice of Special Deposit*, filed April 11, 2025. The Court does not find Ms. Kilpatrick's filings are proper and the filings are therefore stricken.

* * *

II. LAW AND ANALYSIS

In the instant filings, Ms. Kilpatrick makes several statements that are consistent with the assertion of rights as a sovereign citizen not subject to the Court's jurisdiction. Plaintiff contends Ms. Kilpatrick's arguments related to tender, payment and dismissal are meritless and should be summarily rejected, and the property should proceed to judicial sale.

Sovereign citizen declarations have repeatedly been rejected by numerous Ohio courts, including the Second District, and arguments based on this theory have been routinely recognized as "meritless" and "wholly frivolous." *See e.g.*, *State v. Huelsman*, 2023-Ohio-649, ¶ 14-15 (2d Dist.) citing *Paris v. Galluzzo*, 2015-Ohio-3385, ¶ 47 (2d Dist.); *State v. Few*, 2015- Ohio-2292, ¶ 6 (2d Dist.); *State v. Brown*, 2024-Ohio-4808, ¶ 14 (2d Dist.); *Y.A.B. ex rel. E.E.W. v. Wallace*, 2023-Ohio-551, ¶ 10 (2d Dist.); *In re S.H.O.*, 2019-Ohio-645, ¶ 16 (2d Dist.).

* * *

Finally, as noted by Plaintiff, Ms. Kilpatrick filed a Notice of Bankruptcy Filing and Automatic Stay on April 9, 2025 indicating she filed for a Chapter 7 Bankruptcy in the U.S. Bankruptcy Court for the Southern District of Ohio under Case No. 3:25-bk-30619. This is Ms. Kilpatrick's third bankruptcy filing. Ms. Kilpatrick previously filed two bankruptcy petitions in the past twelve months, and both cases were later dismissed. *See* U.S.Br. S.D. Ohio Case No. 24-bk-31598 (filed 8/22/24 and dismissed 10/09/24; U.S.Br. S.D. Ohio Case No. 24-bk-3461 (filed 12/17/24 and dismissed 1/29/25). Plaintiff maintains Ms. Kilpatrick is not entitled to an automatic stay as a result of her most recent bankruptcy filing. The Court agrees.

While "11 U.S.C. 362 provides a mechanism to automatically stay most actions against a debtor when that person files a qualifying bankruptcy," it also applies limitations "to subsequent bankruptcies filed by that same person." *Woods Cove II, LLC v. Williams*, 2017- Ohio-9273, ¶ 10 (8th Dist.). 11 U.S.C. § 362(c)(4) specifically provides that "if [two] or more . . . cases of the debtor were pending within the previous year but were dismissed, . . . the stay . . . shall not go into effect upon the filing of the later case." *Id.* The debtor may obtain a stay only if she is able to demonstrate that the filing of the later bankruptcy case is in good faith. *Woods Cove* at ¶ 10 citing 11 U.S.C. § 362(c)(4) (internal citation omitted). Like the debtor in *Woods Cove*, Ms. Kilpatrick has not demonstrated "that this third bankruptcy was filed in good faith or that the bankruptcy court determined as much." *Id.* at ¶

> 12. Accordingly, no automatic stay is in effect, and Plaintiff may proceed with the sale of the foreclosed property.

Entry and Order at 1-3, *Lakeview Loan Servicing, LLC v. Kilpatrick*, No. 2023 CV 04539 (Mont. Cnty. C.P. Apr. 16, 2025).

As she has in this Court, and notwithstanding the Common Pleas Court's Entry and Order, she continued to file numerous meritless sovereign citizen style papers with the Common Pleas Court, as reflected on the public docket for the foreclosure action, during the period from May 5, 2025 to June 4, 2025 (6 filings), and from September 26, 2025 to October 6, 2025 (4 filings). *Kilpatrick*, No. 2023 CV 04539.

C. Pro Se Bankruptcies – Three Within One (1) Year – And Prior Appeal

On April 8, 2025, Ms. Kilpatrick filed her pro se Voluntary Petition (Doc. 1) initiating this case, her fourth bankruptcy case overall and third bankruptcy case within the span of less than a year. In her Schedule A/B: Property (Doc. 14) she listed her ownership of a single-family located at 108 Barnside Drive, Englewood, Ohio 45322 ("108 Barnside Drive").[8] But having failed to list her mortgage in the first set of schedules she filed on April 22, 2025 (Schedule D (Doc. 14 at 13-14)),[9] Ms. Kilpatrick later filed an amended Schedule D (Doc. 26) on May 29, 2025 to list Lakeview Loan Servicing, LLC as holding a secured claim on her real property at 108 Barnside Drive, based on an agreement she made, such as a mortgage, on which she owed $345,000.

As recounted by the U.S. Trustee in his motion to dismiss this case, Ms. Kilpatrick had previously filed a chapter 13 bankruptcy on August 22, 2024, Case No. 24-31598, on the eve of an auction sale in the foreclosure action in Common Pleas Court. *See* Mot. to Dismiss at 2, ¶¶ 4-6. That case forestalled the foreclosure, but was ultimately dismissed on October 8, 2024 (No. 24-31598, Doc. 23) due to her failure to timely file a chapter 13 plan. Then, on December 17, 2024, again on the eve of a foreclosure auction, she filed another chapter 13 bankruptcy, Case No. 24-32461. That case also forestalled the foreclosure but again was ultimately dismissed on January

[8] She also listed ownership of a GMC Sierra, for which stay relief was also granted by this Court, unopposed by Ms. Kilpatrick, on September 15, 2025. *See* Schedule A/B: Property (Doc. 14) at 2; Order for Relief from Automatic Stay by MyUSA Credit Union Inc. (Doc. 46).

[9] Notably, Ms. Kilpatrick clearly knew about the mortgage given that the foreclosure had been pending since August 25, 2023, and she had filed bankruptcy three times to stop the foreclosure. *See* Case No. 24-31598 (Aug. 22, 2024), Case No. 24-32461 (Dec. 17, 2024), and Case No. 25-30619 (Apr. 8, 2025).

29, 2025 (No. 24-32461, Doc. 17) due, again, to Ms. Kilpatrick's failure to file a chapter 13 plan. The dismissal of that bankruptcy case, however, was followed by a flurry of inappropriate filings by Ms. Kilpatrick, in which she began to submit sovereign citizen filings to this Court and which culminated in an appeal she took to the District Court. That appeal was dismissed by United States District Judge Walter H. Rice for lack of prosecution. *See* Order Dismissing Bankruptcy Appeal for Want of Prosecution Filed by Marguerite Latete Kilpatrick; Termination Entry, *In re Kilpatrick*, No. 3:25-cv-71, 2025 U.S. Dist. LEXIS 140938 (S.D. Ohio July 23, 2025) (dismissing for failure "to show cause, file an opening brief, or otherwise prosecute this action in any manner" Ms. Kilpatrick's appeal from the Memorandum Order Denying Debtor's Motion for Reconsideration and Motion to Seal (Doc. 24), *In re Kilpatrick*, No. 24-32461, 2025 Bankr. LEXIS 1411, 2025 WL 1635420 (Bankr. S.D. Ohio Feb. 28, 2025) (Humphrey, J.) (Doc. 33)).

D. Relief from Stay

Although the Common Pleas Court had previously concluded that no automatic stay went into effect with Ms. Kilpatrick's third pro se bankruptcy due to 11 U.S.C. § 362(c)(4), on June 16, 2025, Ms. Kilpatrick's Mortgagee filed a standard motion for relief from the automatic stay (Doc. 30), pursuant to 11 U.S.C. § 362(d)(1) and (d)(2)[10] with respect to 108 Barnside Drive, in order to resume its foreclosure action. The Mortgagee served Ms. Kilpatrick at 108 Barnside Drive and gave the requisite twenty-one (21)-day notice required by Local Bankruptcy Rule 9013-1(a)(1)(C). Ms. Kilpatrick did not respond, and in the meantime her meeting of creditors was twice continued due to her failure to provide the Chapter 7 Trustee with documents and information requested by the Trustee's office. *See* Mot. to Dismiss (Doc. 38) at 4, ¶ 21. On July 18, 2025, this Court entered the Order Granting Motion for Relief from the Automatic Stay (Doc. 34) (the "Order Granting Stay Relief") to modify the automatic stay imposed by 11 U.S.C. § 362 for the Mortgagee, "its successors and assigns, to pursue its in rem remedies under non-bankruptcy law regarding the real property located at 108 Barnside Drive, Englewood, Ohio 45322." The Order Granting Stay Relief was stayed for fourteen (14) days after entry pursuant to Bankruptcy Rule 4001(a)(4). A copy was mailed to Ms. Kilpatrick by the Bankruptcy Noticing Center, as reflected in the Certificate of

[10] It is unclear and this Court could only speculate as to why the Mortgagee, Lakeview Loan Servicing, LLC, did not seek an order from this Court, as it had argued before the Common Pleas Court, pursuant to § 362(c)(4)(A)(ii) or § 362(j), to confirm the automatic stay had not gone into effect upon the filing of Ms. Kilpatrick's third bankruptcy case in a year. *See* Mot. of Lakeview Loan Serv., LLC for Relief from Stay (Doc. 30), June 16, 2025.

Notice filed on July 20, 2025 (Doc. 35). And the appeal period expired without any action. In fact, it was not until September 2, 2025, that Ms. Kilpatrick began filing her sovereign citizen style papers, which contained a VNOI, which has since been stricken for being an inappropriate frivolous filing.

As with the dismissal of her immediately prior chapter 13 bankruptcy, relief from stay was eventually followed by a flurry of inappropriate sovereign citizen style filings by Ms. Kilpatrick.

E. U.S. Trustee's Motion to Dismiss and Supplement

On July 31, 2025, the United States Trustee filed his Motion to Dismiss with Prejudice (Doc. 38) (the "Motion to Dismiss"). As summarized therein:

> 28. The undisputed facts of this case demonstrate that the Debtor is a serial filer that repeatedly files for bankruptcy protection on the eve of the foreclosure sale of the Property and who has failed to comply with the Trustee's reasonable, routine, and repeated requests for information and documents. The Debtor's conduct in this case constitutes bad faith and cause for the dismissal of this case, with prejudice, under 11 U.S.C. § 707(a).

Mot. to Dismiss at 6, ¶ 28. The Motion to Dismiss was served on Ms. Kilpatrick and was supported by a Declaration of Patricia J. Friesinger, the Chapter 7 Trustee appointed to Ms. Kilpatrick's case, in which she recounted all of the problems dealing with Ms. Kilpatrick over the course of three continued meetings of creditors. *See* Decl. of Friesinger (Doc. 38-1).

Because the docket reflected that the meeting of creditors had been subsequently concluded on August 18, 2025, the Court issued an order (Doc. 48) requiring the U.S. Trustee to supplement the Motion to Dismiss with any developments that would impact its consideration of the Motion to Dismiss. On September 23, 2025, the U.S. Trustee filed his Supplemental Memorandum in Support of Motion to Dismiss with Prejudice (Doc. 52), in which he confirmed that Ms. Kilpatrick had not cured any of her violations of the Bankruptcy Code, and in which he further supported dismissal of her case with a Supplemental Declaration of Patricia J. Friesinger (Doc. 52-1).

F. Sovereign Citizen Filings and VNOI

While the Motion to Dismiss was pending, Ms. Kilpatrick began to submit her multitude of "Embassy of Living Faith" sovereign citizen filings. It began with duplicate copies of Ministerial Cover Letter addressed to "Dear Trustees *de son tort*" asserting that "[t]his Ministerial Cover Letter tenders **actual and constructive notice** of sacred ecclesiastical instruments under

the covering of **The Embassy of Living Faith™**, a private ecclesiastical trust estate established and administered under the Government of God." Doc. 44 at 1 (emphasis in original); Doc. 45 at 1. And it goes on from there. One of the many documents enclosed with that cover letter was described as a "**Verified Notice of Interest (Instrument No. 004.01)** ***(anchor instrument)***." Doc. 44-1 (emphasis in original). The VNOI was signed by Ms. Kilpatrick, albeit as "the Living Heir in Sacred Honor" as "Marguerite Latete of the House of Kilpatrick," with the titles "Beneficial Owner," "Equitable Titleholder," "Authorized Agent," and "Custodian Ambassador for Christ and Minister within The Embassy of Living Faith™." VNOI (Doc. 44-1) at 9.

Although Ms. Kilpatrick asserts in her Motions that she filed the VNOI with this Court on May 14, 2025, it is clear the VNOI was not filed until September 2, 2025. There is no entry on this Court's docket on May 14, 2025. Perhaps she is conflating the filings in this Court with filings somewhere else, but both the docket and her VNOI filed on this Court's docket are clear that she did not sign it, in her made-up capacity,[11] until August 28, 2025, and did not file it until September 2, 2025. *See* VNOI (Doc. 44-1). This was well after, in fact **46 days** after, this Court had already entered its July 18, 2025 order (Doc. 34) granting the unopposed motion for relief from the automatic stay with respect to 108 Barnside Drive, the real estate she is attempting to retain, which is the subject of the foreclosure action pending in the Montgomery County, Ohio Court of Common Pleas, and is her apparent motivation in peppering both this Court and the Montgomery County, Ohio Court of Common Pleas with sovereign citizen filings. *See, e.g.,* Entry and Order, *Lakeview Loan Servicing LLC v. Kilpatrick*, No. 2023 CV 04539 (Mont. Cnty. C.P. Apr. 16, 2025).

It is readily apparent that Ms. Kilpatrick is unsatisfied with her loss or potential loss of her real estate; a matter she potentially could have addressed through bankruptcy had she been willing to be forthcoming and comply with her obligations as a debtor. However, it is also readily apparent that the alleged interest she holds in 108 Barnside Drive, which she refers to as the "trust *res*," is a self-granted made-up interest based on her "Embassy of Living Faith" strain of sovereign citizen theories. For just a flavor (example) and because she did not attach it to her Motions, the portion

[11] Ms. Kilpatrick has since attempted to cure her prior violations of Bankruptcy Rule 9011(a) through her Notice of Errata Regarding Debtor's Capacity (Doc. 87), as filed on October 28, 2025, in which she writes that "Debtor previously submitted filings that, through clerical oversight, described the filer in a representative or fiduciary capacity." Further, she wrote that she "hereby clarifies and affirms that all current and future filings in this Court are submitted **solely in the Debtor's personal capacity** as the **Chapter 7 Debtor**, and not in any other representative, trustee, or managerial capacity." (Emphasis in original). Moreover, she purports to "expressly ratif[y] and adopt[] all prior pleadings, motions, and notices as of their original filing dates."

of the VNOI that appears to allegedly "grant" her interest, "under the ecclesiastical jurisdiction of the Most High God (Psalm 24:1)" states as follows:

VII. DECLARATION OF INTEREST

I, the Living Heir, pursuant to my **exclusive standing in trust and sacred duty to operate in honor,** do hereby declare, retain, and assert **sole, superior, equitable interest and beneficial title** in and to the Private Estate, including—but not limited to—every derivative instrument styled in the ALL CAPS designation.

These derivative instruments include, without limitation, all records, securities, contracts, agreements, and estate identifiers arising from, or connected to, any and all presumed adhesion contracts, public filings, certificates, applications, administrative constructs, and commercial encumbrances.

The originating estate identifiers include, without limitation:

- The initial application resulting in the certificate of live birth;
- The subsequent application producing the birth certificate and establishing the registered organization;
- The application for the Social Security Number that created a corresponding Social Security trust for tracking and control;
- The passport application;
- The driver's license application;
- All applications or instruments resulting in the assignment of taxpayer identification numbers;
- Any and all other applications-past, present, or future-derived from, associated with, or presumed to bind the Private Estate, whether expressly listed herein or not.

I hereby **fully rebut** all presumptions of:

- Constructive abandonment or dormancy,
- Administrative or commercial control without full disclosure and informed consent,
- Commercial suretyship for public debt, and

> - Unauthorized agency or representation by corporate or statutory actors.
>
> I further declare, preserve, and perfect the **private, ecclesiastical status as Custodian** exercising full equitable dominion over the Private Estate-including all originating and derivative instruments-under the spiritual and legal covering of **The Embassy of Living Faith™**.
>
> This **Verified Notice of Interest** is not tendered by private will alone, but as a **formal ecclesiastical and equitable act**, made in obedience to divine prompting and by spiritual discernment under the authority of the Holy Spirit—who bears witness with my spirit, confirms my ecclesiastical calling, and secures all rights, titles, and beneficial interests rightfully belonging to the Living Heir.
>
> **Spiritual Witness:**
> *"The Spirit itself beareth witness with our spirit, that we are the children of God: And if children, then heirs, heirs of God, and joint-heirs with Christ ..."*
> ~ Romans 8: 16-17 ~

VNOI (Doc. 44-1) at 3-4 (emphasis in original).

This is what she alleges is the basis for her current Emergency Motion for Stay, nothing else. It would be "free speech" outside of court, but it is frivolous and sanctionable in court and creates no lawful rights. As this Court previously wrote in its Order Denying All Sovereign Citizen Filings:

> The themes invoked by the Debtor in her Filings are "commonly associated with the so-called 'sovereign citizen' movement" and "have been uniformly rejected by every federal court to confront them." *Morgan-Grant*, 2025 Bankr. LEXIS at *2 (citing *United States v. Williams*, 29 F.4th 1306, 1308 (11th Cir. 2022); *United States v. Sterling*, 738 F.3d 228, 233 n.1 (11th Cir. 2013)). "**The rule of law is not so fragile as to be undone at the whim of a litigant through invocation of spiritual sovereignty or divine right.** Federal jurisdiction cannot be waived or revoked by incantation." *Id.* at *2. "**There is no parallel legal system grounded in personal belief that exempts one from the obligations of debt, the authority of a duly appointed trustee, or the jurisdiction of this Court.**" Id. at *7. Previous courts within the Sixth Circuit have found that these types of arguments lack merit. *See Clinton v. Coyaleski*, No. 4:25-cv-1363, 2025 U.S. Dist. LEXIS 186480, 2025 WL 2711413 (N.D. Ohio Sept. 23, 2025) (collecting cases that reject jurisdictional arguments based on similar sovereign citizen arguments), *Watts v. Cleveland Heights*, No. 1: 25 CV 1582, 2025 U.S. Dist. LEXIS 176338, 2025 WL 2615846 (N.D. Ohio Sept. 10, 2025) (finding Defendant's arguments claiming that that he was not subject to traffic laws, similar to those advanced in the filings, as being "devoid of merit"), and *Burks v. Licking Cnty. Child Support Enf't Agency*, No.

> 2:24-cv-2330, 2025 U.S. Dist. LEXIS 31341, 2025 WL 580389 (S.D. Ohio Feb. 21, 2025) (describing the voluminous filings related to sovereign citizen arguments as frivolous and wasteful of court resources).

Order Dismissing All Sovereign Citizen Filings at 4. Ms. Kilpatrick's latest filings are no less frivolous or wasteful of judicial resources. The VNOI, filed September 2, 2025, had nothing to do with her actual legal obligations and was based on a complicated web of sovereign citizen pseudo-legal theories by which she supposedly put the property in a trust in which only her made-up entity could hold an interest under equity jurisdiction overseen by the Government of God that apparently operates outside the bounds of this Court's statutory jurisdiction, but somehow would require this and other courts to halt the foreclosure action against her real estate. Obviously, her assertions are without any basis in law or relevance to the matters that were actually before this Court, prior to dismissal of her case.

Ms. Kilpatrick continued with her Embassy of Living Faith filings from September 24, 2025 through September 30, 2025 (Docs. 53-77). All told, including the first two duplicate Ministerial Cover Letter filings to which her VNOI was attached, she submitted 27 documents, albeit many were duplicates. She does not, however, appear to specifically reference any of those other filings (other than the VNOI) in her present Motions.

G. Order Denying All Sovereign Citizen Filings

After Ms. Kilpatrick filed her 27 sovereign citizen filings based on the "Embassy of Living Faith" strain, and prior to entering the Dismissal Order (as defined below) but also on October 1, 2025, the Court entered a detailed (11-page) order denying any and all relief based upon those filings, including rejection of her supposed "tender," giving her a chance to withdraw her filings, and, absent withdrawal, giving her notice pursuant to Bankruptcy Rule 9011(c)(3) that she was directed to show cause, "within **twenty-one (21) days** from the date of entry of this Order,[12] why she has not violated Bankruptcy Rule 9011(b) by submitting the Filings to this Court for an improper purpose . . . ." Order: (I) Denying All Assertions, Purported Claims, Relief, and All

[12] Ms. Kilpatrick incorrectly asserts in her Emergency Motion for Stay that this Court imposed "a **five-day response deadline** ending **October 22, 2025**" through the Order Striking Debtor's Filings (defined below) entered on October 17, 2025. Emergency Mot. for Stay at 2, ¶ I.9. The Order Denying All Sovereign Citizen Filings clearly set that deadline, 21 days out, and even if Ms. Kilpatrick's assertions about when she received mail are to be believed, she received the Order Denying All Sovereign Citizen Filings on October 10, 2025, leaving her twelve days to show cause why she should not be sanctioned for filing her 27 sovereign citizen documents.

Other Matters Set Forth in Filings Received from Debtor on September 2, 2025 (Docs. 44 & 45) and on September 24, 26, 29 And 30, 2025 (Docs. 53 Through 77); (II) Giving Notice to Debtor that the Filings Violate Federal Rule of Bankruptcy Procedure 9011(a) and Will be Stricken if not Withdrawn; (III) Requiring Debtor to Show Cause Why She Has Not Violated Rule 9011(b) if the Papers are Not Withdrawn; and (IV) Ordering the Immediate Return of All Purported Tenders as Expressly Rejected and Not Recognized by Law (Doc. 78) (the "Order Denying All Sovereign Citizen Filings").

A history of Ms. Kilpatrick's twenty-seven (27) previous sovereign citizen filings is recounted in the Court's prior Order Denying All Sovereign Citizen Filings, a copy of which will be provided to the District Court with the short Report and Recommendation, and therefore is not repeated herein.

To address Ms. Kilpatrick's false claim that her VNOI went unaddressed, this Court concluded in its Order Denying All Sovereign Citizen Filings as follows:

> After a careful review of the Filings,[13] the Court is unable to discern any relief requested by the Debtor that is available under Title 11 of the United States Code (the "Bankruptcy Code") or the Federal Rules of Bankruptcy Procedure. Accordingly, all of the Filings are hereby **DENIED** with prejudice . . . .
>
> * * *
>
> 1. Being that there is no cognizable relief requested in the Filings that Debtor has submitted under an alias name and alleged fanciful capacity, government, and jurisdiction, any and all relief sought, described, or contemplated within the Filings—Document Numbers 44, 45, and 53 through 77—is hereby **DENIED** in the entirety with prejudice.

Order Denying All Sovereign Citizen Filings at 2, 9.

The "Filings" denied by this Court included the VNOI that Ms. Kilpatrick attempts to hang her hat on as some type of cognizable legal interest that the Courts have failed to recognize. Thus, her frivolous VNOI was squarely addressed.

[13] The term "Filings" was defined in the Order Denying All Sovereign Citizen Filings to include the papers docketed as Correspondence that included the VNOI's (Docs. 44, 45).

H. Dismissal of Ms. Kilpatrick's Last Bankruptcy

On the same day as the Order Denying All Sovereign Citizen Filings was entered, October 1, 2025, this Court also entered the Order Granting United States Trustee's Motion to Dismiss with Prejudice and One (1) Year Bar to Refiling (Doc. 79) (the "Dismissal Order"). Her last bankruptcy case was thereby dismissed, she was barred from filing any bankruptcy anywhere in the United States for a period of one (1) year, and the automatic stay was thereby terminated as to any other property of the estate for which stay relief had not already been granted. Further, this Court reserved jurisdiction to address the Bankruptcy Rule 9011 sanctions matters set forth in the Order Denying All Sovereign Citizen Filings (referred to therein as the Order Denying All Filings).

Summarizing the impact of the Dismissal Order and the Order Denying All Sovereign Citizen Filings, both entered on October 1, 2025, this Court no longer has jurisdiction over anything but the issue of imposing sanctions upon Ms. Kilpatrick for her prior and on-going violations.

I. Order Striking Filings and Reiterating Deadline to Show Cause

After Ms. Kilpatrick failed to withdraw any of her twenty-seven (27) frivolous sovereign citizen filings within the time provided in the Order Denying All Sovereign Citizen Filings, and without any other response from Ms. Kilpatrick, this Court then entered an order striking her filings as violating Bankruptcy Rule 9011(a) (the "Order Striking Debtor's Filings") (Doc. 83), including her VNOI (Docs. 44, 45), and reiterating that she had until October 22, 2025, twenty-one (21) days from the Court's prior order, to show cause why she had not violated Bankruptcy Rule 9011(b) " 'by submitting the Filings to this Court for an improper purpose, such as to harass the Court and the people named therein, [that] have caused unnecessary delay, contain legal contentions not warranted by existing law or by nonfrivolous arguments, and contain allegations and factual contentions that lack any evidentiary support.' " Order Striking Debtor's Filings (Docs. 44, 45 and 53 through 77) as Violating Federal Rule of Bankruptcy Procedure 9011(a) and Reiterating Filing Deadline Set Forth in Prior Order (Doc. 78) and the Consequences for the Failure to Complete Such a Filing (Doc. 83), entered on Oct. 17, 2025 (quoting the Order Denying All Sovereign Citizen Filings (Doc. 78), Conclusion at 10, ¶ 4).

J. Motion to Withdraw the Reference and Emergency Motion for Stay

Following this Court's Order Striking Debtor's Filings, Ms. Kilpatrick proceeding to file the present Motions on October 28, 2025. Notably, she did not timely appeal the Dismissal Order.

Her latest papers—the Motions—are based on her complaint that no court, neither this Court nor the Common Pleas Court, have acknowledged or ruled on one of her sovereign citizen filings, the VNOI, which she asserts should have brought the foreclosure action in Common Pleas Court to a halt. But the VNOI has no merit, was a frivolous sovereign citizen filing, and gives her no more rights in 108 Barnside Drive than she already had as the owner.[14]

IV. Analysis

A. The Motions are Moot Due to Dismissal of Ms. Kilpatrick's Bankruptcy.

In her Emergency Motion for Stay, Ms. Kilpatrick states that she wants this Court to stay "enforcement and effect of the July 17, 2025 order and all related pending orders . . . ." Emergency Mot. at 1. But that cannot be done at this point. Due to the dismissal of her third bankruptcy within a year, her present Motions are likely moot. *See, e.g.*, *Hayden v. W. Steel Inc.*, No. 3:24-cv-00298-ART-CLB, 2025 U.S. Dist. LEXIS 46510, at *2 (D. Nev Mar. 14, 2025) (concluding that because the adversary proceeding had been dismissed, "and the bankruptcy court retained jurisdiction only for the purpose of determining whether sanctions should be issued," the debtor's "motion to withdraw the reference is moot.").

Although Bankruptcy Rule 5011(a), as discussed below, provides that the District Court must rule on the Motion to Withdraw, this Court concludes there is no likelihood that the pending motion to withdraw would be granted because there is no case or proceeding to withdraw under 28 U.S.C. § 157(d) in the wake of dismissal of Ms. Kilpatrick's third bad faith bankruptcy, such that it is yet another in a string of baseless filings. *See In re Pick*, No. 2:25-cv-5661-SPG, 2025 U.S. Dist. LEXIS 216358, at *3 (C.D. Cal. Nov. 3, 2025) ("[A] district court cannot withdraw a

[14] Although the VNOI is clearly a made-up sovereign citizen document with no legal significance, at the risk of peeking down into the rabbit hole, there is no possibility of Ms. Kilpatrick having unilaterally created a lien interest in 108 Barnside Drive superior to the Mortgagee's interest (or the Montgomery County Treasurer's) without their agreement. Moreover, the doctrine of merger would likely result in any such interest (although there is no such legitimate interest) simply merging into her ownership interest, such that it would have no impact upon the mortgage being foreclosed. *See, e.g.*, *Shah v. Smith*, 908 N.E.2d 983, 986 (Ohio Ct. App. 2009) (defining doctrine of merger by ownership as providing "that a servitude may not be impressed upon an estate of another estate when both estates are owned by the same person" (internal quotations omitted)).

reference for an adversary proceeding that . . . has been dismissed. . . . The Court is likewise skeptical that 28 U.S.C. § 157(d) permits a district court to withdraw a closed case from bankruptcy court."); *Hayden*, 2025 U.S. Dist. LEXIS 46510, at *2 (citing *Lundahl v. Fireman's Fund Ins. Co.*, 129 F. App'x. 479, 480 (10th Cir. 2005) (motion to withdraw the reference was moot in light of dismissal of the underlying bankruptcy case)).[15]

Because there is no longer a bankruptcy case, there is no longer bankruptcy jurisdiction pursuant to 28 U.S.C. § 1334 over Ms. Kilpatrick's former real estate, 108 Barnside Drive, such that neither this Court nor the District Court can order a stay of any actions with respect to 108 Barnside Drive. That property is no longer "property of the estate" under 11 U.S.C. §§ 541 and 554(c). Ms. Kilpatrick's last bankruptcy was dismissed on October 1, 2025 (Doc. 79) and no party timely appealed the Dismissal Order. Likewise, the Order Granting Motion for Relief from the Automatic Stay (Doc. 34) cannot be stayed because it is no longer pending before this Court. Moreover, the termination of the automatic stay as to 108 Barnside Drive was later subsumed by the termination of the automatic stay as to any and all property of the estate upon dismissal of Ms. Kilpatrick's third bankruptcy case, both by virtue of the express language of the Dismissal Order and by the automatic operation of 11 U.S.C. § 362(c)(1) and (c)(2) (providing that the stay of acts against property of the estate continue until no longer property of the estate and the stay of other acts continue until a case is dismissed). A withdrawal of the reference is not a substitute for an appeal. Ms. Kilpatrick's time to appeal the order granting relief from the automatic stay expired at the end of July, and her time to appeal from the Dismissal Order expired on October 15, 2025. *See* Fed. R. Bankr. P. 8002(a)(1).

There are no "pending orders" concerning the automatic stay, there being none, or her real estate, it no longer being property of the estate. In fact, the only remaining matter before this Court is the issue of imposing sanctions against Ms. Kilpatrick for her many frivolous filings in accordance with Bankruptcy Rule 9011(c), including the present Emergency Motion for Stay. The matter of sanctions is wholly independent from the prior grant of relief from the automatic stay and from the dismissal of Ms. Kilpatrick's bankruptcy case given that it arises from Ms. Kilpatrick's sovereign citizen filings made 47 days after relief from the automatic stay had already

[15] On top of all of this, Ms. Kilpatrick did not pay the filing fee for her Motion to Withdraw the Reference, which is $199. *See* https://www.ohsb.uscourts.gov/filing-fees.

been granted. And her sovereign citizen filings did not in any way purport to oppose dismissal of her case; rather, they simply confirmed that her case should be dismissed because she had no intention of complying with the law.

Ms. Kilpatrick's (or ChatGPT's) citations to case law, such as *Stern v. Marshall*, 564 U.S. 462 (2011), *In re Cinematronics*, *Inc.*, 916 F.2d 1444 (9th Cir. 1990), and so forth in her Motion to Withdraw the Reference all suffer from one fatal distinction. She has not asserted a valid interest, legal or equitable, such that there is no other law at issue—no basis for mandatory withdrawal under 28 U.S.C. § 157(d). Her VNOI is but one in a slew of sovereign citizen filings in which she asserted made-up self-appointed equitable interests that do not exist, are frivolous, and have been rejected and debunked by every court, federal and state, to consider them. To be clear, there are no merits to Ms. Kilpatrick's assertions. Nevertheless, the Court has analyzed all her filings in detail and acted accordingly in previously rejecting any and all relief that she had purportedly requested. Moreover, as to any claims to or interests in the real property that she owned when she filed her third bankruptcy within a year, this Court had exclusive jurisdiction pursuant to 28 U.S.C. § 1334(e)(1). Thus, her assertions that this Court did not have jurisdiction over her interests is false. And the assertion that this Court did not exercise its jurisdiction is likewise false. This Court adjudicated the legitimate legal rights of her mortgage to grant stay relief and of the U.S. Trustee to dismiss her bad faith case. This Court also, after closely reviewing her post-stay relief sovereign citizen filings, rejected, denied, and ultimately struck those frivolous filings.

Nonetheless, out of an abundance of caution, this Court will further explain why this is so and why Ms. Kilpatrick has failed to meet her burden to obtain any relief.

B. The Motions Lack Any Merit, are Untimely Forum Shopping Efforts, and are a Continuing Abuse of the Bankruptcy Process.

Pursuant to Bankruptcy Rule 5011(c), while a motion for withdrawal of the reference is pending, this Court can only stay proceedings before it, as follows:

> **Rule 5011. Motion to Withdraw a Case of Proceeding or to Abstain from Hearing a Proceeding; Staying a Proceeding**
>
> **(a) Withdrawing a Case or Proceeding.** A motion to withdraw a case or proceeding under 28 U.S.C. § 157(d) must be heard by a district judge.
>
> * * *

> **(c) Staying a Proceeding After a Motion to Withdraw or Abstain.** A motion filed under (a) or (b) does not stay proceedings in a case or affect its administration. But a bankruptcy judge may, on proper terms and conditions, stay a proceeding until the motion is decided.

Notwithstanding that the alleged "interest" based on which Ms. Kilpatrick filed her Motions—the VNOI—is a frivolous sovereign citizen filing, focusing on the alleged procedural basis for her current Emergency Motion for Stay, this Court has previously held that granting a stay under Bankruptcy Rule 5011(c) pending a motion for withdrawal of the reference requires the movant to establish "the circumstances under which a preliminary injunction would be appropriate under Federal Rule of Civil Procedure 65." *Antioch Co. Litig. Trust v. Miller* (*In re Antioch Co.*), 435 B.R. 493, 496-97 (Bankr. S.D. Ohio 2010) (Humphrey, J.) (denying a motion to stay an adversary proceeding pending the District Court's ruling on a motion to withdraw the reference). Thus, "a stay should be granted only if the moving party can show":

> (1) the likelihood that the pending motion to withdraw will be granted (i.e. likelihood of success on the merits); (2) that the movant will suffer irreparable harm if the stay is denied; (3) that the non-movants will not be substantially harmed by the stay; and (4) the public interest will be served by granting the stay.

Id. at 497. "The burden on such a motion rests with the party seeking the stay to establish that a stay under the circumstances would be appropriate. *Id*. at 496 (citing *Miller v. Vigilant Ins. Co.* (*In re Eagle Enters., Inc.*), 259 B.R. 83, 86 (Bankr. E.D. Pa. 2001)). Further, "it is clear from the plain language of the Rule that the granting of a stay should be the exception—not the general rule." *Id.*

Ms. Kilpatrick references the foregoing factors in her Memorandum of Points and Authorities in Support of Emergency Motion for Stay (Doc. 85 at 5); however, the case she cites addressed "whether to release a state prisoner pending appeal of a district court order granting habeas relief." *Hilton v. Braunskill*, 481 U.S. 770, 772 (1987). But she does not elaborate on how she believes she has carried her burden on these factors. And she does not allege any legitimate basis upon which she could establish these factors. All she writes is that "[a]ll four factors favor temporary relief here. The issues involve constitutional notice, equitable trust administration, and jurisdictional propriety." Memo. of Points and Authorities in Supp. at 2, § IV.

Ms. Kilpatrick cites, as grounds for a stay, the alleged case of *In re Miller*, 150 B.R. 834 (Bankr. N.D. Ohio 1993). *See* Emergency Mot. for Stay at 2, ¶ II.1; Memo. of Points and

Authorities in Supp. at 1, § II. However, that decision does not exist and may be an AI "hallucination" that would constitute an independent basis for sanctions under Rule 9011. The citation 150 B.R. 834 is actually to a page of the opinion in *Brandt v. 440 Assocs.*, 150 B.R. 833 (Bankr. S.D. Fla. 1993), which concerns a motion for summary judgment on avoidance of a postpetition transfer pursuant to 11 U.S.C. § 549(a), not a motion for stay under Bankruptcy Rule 5011(c). Thus, not only does Ms. Kilpatrick continue to advance baseless and frivolous arguments, as further discussed below, she has also now cited made up case law, perhaps generated by ChatGPT or an AI program, in further violation of Bankruptcy Rule 9011(b).[16]

Moreover, this Court can envision no circumstance in which her Motion to Withdraw the Reference would be granted. She is, once again, relying solely on her sovereign citizen arguments, this time specifically the VNOI. She claims that "[a]bsent a stay, Movant faces **irreparable procedural harm**, including potential sanctions and enforcement actions under orders entered without timely notice or an opportunity to respond." Emergency Mot. for Stay at 2, ¶ II.2 (emphasis in original). She also claims that "[t]he apparent completion of a foreclosure auction, without formal notice to Movant and in disregard of a previously filed Verified Notice of Interest, constitutes **good cause for emergency stay**." *Id.* at 2, ¶ II.4 (emphasis in original). Confusingly, Ms. Kilpatrick seems to allege that avoiding sanctions is a basis for the stay, but she does not specifically ask this Court to stay the Order Denying All Sovereign Citizen Filings, entered on October 1, 2025; rather, she asks this Court to stay the Order Granting Motion for Relief from the Automatic Stay (Doc. 34), which has nothing to do with this Court imposing sanctions upon her. Further, as it concerns the alleged "irreparable procedural harm," an oxymoron of sorts, Ms. Kilpatrick was given the opportunity to both (1) withdraw her sovereign citizen filings, and (2) show cause as to why she should not be sanctioned pursuant to Bankruptcy Rule 9011. Thus, any "harm" is a direct result of her own conduct. And just to make absolutely certain that she has had a full and fair "opportunity to respond," beyond any doubt whatsoever, before this Court imposes sanctions, this Court will schedule a hearing to give her one last opportunity to show cause why

[16] Ms. Kilpatrick also cites *In re Pan Am Corp.*, 159 B.R. 396, 400 (S.D.N.Y. 1993) for the alleged proposition that "maintaining the status quo is essential pending determination of withdrawal questions." Memo of Points and Authorities in Supp. at 2, ¶ III.3. But that case actually concerned Rule 54(b) of the Federal Rules of Civil Procedure and concluded that "Delta's appeals from the Bankruptcy Court's Orders dated December 1, 1992, are dismissed for lack of appellate jurisdiction." *Delta Air Lines, Inc. v. A.I. Leasing II, Inc.* (*In re Pan Am Corp.*), 159 B.R. at 402. That case did not involve a withdrawal of the reference or a stay.

she should not be sanctioned for her twenty-seven (27) prior filings and the current Motions, pursuant to Bankruptcy Rule 9011(c).

In a typical situation involving a motion to withdraw the reference, a bankruptcy court has a case and proceedings before it, over which it would have jurisdiction pursuant to 28 U.S.C. § 1334, such that there would be something to withdraw pursuant to 28 U.S.C. § 157(d). Here, however, Ms. Kilpatrick's bankruptcy case was dismissed due to her own conduct. *See* Dismissal Order at 4-5 ("The Court finds ample cause set forth in the above-referenced documents and docket of this case to grant the relief sought in the Motion to Dismiss and to bar the Debtor for one (1) year from filing any type of bankruptcy.") The Dismissal Order goes on to support this conclusion as follows:

> As asserted in the Motion to Dismiss, the Declaration, the Supplemental Memorandum, and the Supplemental Declaration, the Debtor is a serial filer[2] "who has failed to comply with the Trustee's reasonable, routine, and repeated requests for information and documents" and her "conduct in this case constitutes bad faith and cause for the dismissal of this case, with prejudice, under 11 U.S.C. § 707(a)." Mot. to Dismiss at 6, ¶ 27-28 (citing *Riddle v. Greenberger (In re Riddle)*, No. 19-8022, 2020 Bankr. LEXIS 1695, at *1 (B.A.P. 6th Cir. June 29, 2020) (case dismissed under section 707(a) with a three-year bar to refiling). Moreover, her recent barrage of baseless sovereign citizen type filings, as recited and addressed in the Order Denying All Filings, further evidence her bad faith conduct warranting dismissal of this chapter 7 case.

Dismissal Order at 5 & n.2 ("Debtor's prior two recent chapter 13 cases were both dismissed due to Debtor's failure to file chapter 13 plans as required by 11 U.S.C. § 1321 and Bankruptcy Rule 3015(b). See No. 24-31598, dismissed on Oct. 9, 2024; No. 24-32461, dismissed on Jan. 29, 2025").

The impact of dismissal was, amongst other things, that the automatic stay, to the extent it ever went into effect (though it likely did not pursuant to § 362(c)(4)), and had it not previously been lifted (it had), would have nonetheless been thereby terminated. *See* Dismissal Order at 5, ¶ 5 ("The automatic stay is hereby **TERMINATED.**"). The Dismissal Order also expressly provided that this Court reserved "jurisdiction to address the matters set forth in the Order Denying All Filings." *Id.* at 6, ¶ 7.

Thus, the only jurisdiction remaining with this Court is over the issue of imposing sanctions upon Ms. Kilpatrick under the reservation set forth in the Dismissal Order, which refers to the

Order Denying All Filings, referred to herein as the Order Denying All Sovereign Citizen Filings. This is a "core" matter that is squarely within this Court's jurisdiction and is most efficient for this Court to address. Moreover, this is not what Ms. Kilpatrick specifically asked to be stayed, and it has no direct connection to the Foreclosure Action that she is attempting to forestall, notwithstanding that her bankruptcy case has been dismissed due to her own conduct.

In addition to the foregoing, not only is Ms. Kilpatrick's Motion for Withdrawal of the Reference likely moot, but it is also untimely. And it is both forum shopping and a continued abuse of the bankruptcy process. Although LBR 5011-1 does not prescribe a time period for parties to file motions to withdraw the reference, the statute and case law instructs that such motions must be filed promptly. 28 U.S.C. § 157(d) states that any case or proceeding referred to the bankruptcy court may be withdrawn, but only on the district court's own motion or "on timely motion of any party, for cause shown."[17] "Timely," as used in in § 157(d), "refers to 'as soon as possible after the moving party is aware of grounds for withdrawal of reference' or 'at the first reasonable opportunity after the moving party is aware of grounds for withdrawal of reference.' " *Off. Comm. of Unsecured Creditors of Appalachian Fuels, LLC v. Energy Coal Res., Inc.* (*In re Appalachian Fuels, LLC*), 472 B.R. 731, 736 (E.D. Ky. 2012) (quoting *In re Black Diamond Mining Co., LLC*, No. 10-84, 2010 U.S. Dist. LEXIS 132325, 2010 WL 5173271, at *1 (E.D. Ky. Dec. 14, 2010) (quoting *In re Mahlmann*, 149 B.R. 866, 869 (N.D. Ill. 1993))). "The timeliness requirement prevents parties from 'forum shopping, stalling, or otherwise engaging in obstructionist tactics.' " *Id.* (quoting *In re Black Diamond Mining Co., LLC*, 2010 U.S. Dist. LEXIS 132325, 2010 WL 5173271, at *1 (quoting *In re Mahlmann*, 149 B.R. 866, 869 (N.D. Ill. 1993)). This is precisely what Ms. Kilpatrick seeks to do with her present Motion to Withdraw the Reference and accompanying Emergency Motion for Stay and is all the more reason why her Motions must be denied. Anything less would permit a subversion of the bankruptcy process.

Ms. Kilpatrick filed her Motion to Withdraw the Reference almost a month after her bankruptcy case was dismissed, after she was barred from filing any more bankruptcies, and after the time to appeal the Dismissal Order had run. Further, the dismissal of her third pro se bankruptcy within a year occurred approximately six months after she filed her Voluntary Petition. It is readily

[17] Ms. Kilpatrick does not argue or refer to any "other laws of the United States regulating organizations or activities affecting interstate commerce" as being implicated by her Motion to Withdraw the Reference, and there are none, such that mandatory withdrawal cannot apply. *See* 28 U.S.C. § 157(d).

apparent that her Motion to Withdraw the Reference is just a last-ditch frivolous effort to stop the foreclosure and is a continuing abuse of the bankruptcy process in utter disregard of the prior dismissal of third pro se bankruptcy and bar to her filing any more bankruptcies.

C. The Request to Stay the Imposition of Sanctions Likewise Lacks Any Merit

Although not the main focus of her Emergency Motion for Stay, the other reason for which it appears Ms. Kilpatrick might have asked for a stay pending the Motion to Withdraw the Reference is to avoid this Court proceeding to impose sanctions upon her. Rest assured, however, that this Court has given and will continue to give Ms. Kilpatrick ample notice and opportunity to show cause to this Court why she should not be sanctioned, in compliance with the process set forth in Bankruptcy Rule 9011(c). Although it is dubious that Ms. Kilpatrick will ever appear in person to explain her actions as she has previously requested this Court not to hold a hearing on her many filings after complaining she had not been afforded a hearing,[18] this Court will provide her with another opportunity to do so.

The consideration of imposing sanctions under Bankruptcy Rule 9011(c) for filings made with this Court is certainly within this Court's core jurisdiction and this Court intends to address those issues in due course to be efficient and to conserve judicial resources given that this Court has already waded through and become familiar with all her filings. This is squarely within this Court's core jurisdiction, albeit "clean up" jurisdiction following dismissal of her chapter 7 case. *See, e.g.*, *In re Thompson*, 322 B.R. 769, 772 (Bankr. N.D. Ohio 2004) (holding that motions "seeking sanctions against a party for conduct arising directly from a bankruptcy case are deemed core proceedings for purposes of jurisdiction under 28 U.S.C. § 157(b)(2) (citing *In re Memorial Estates*, 950 F.2d 1364, 1370 (7th Cir. 1991) ("motion for 'frivolous filing' sanctions gives rise to core proceeding regardless of whether conduct occurred in core or noncore proceeding"))). *See also In re DSC Ltd.*, No. 05-72779, 2005 U.S. Dist. LEXIS 25285, at *8-9 (E.D. Mich. Oct. 19, 2005) (discussing that all Circuit Courts, including the Sixth Circuit, "have concluded that appeals are final despite unresolved issue[s] relating to sanctions." (citations omitted)). Under 11 U.S.C. § 105(a), a bankruptcy court has "clean up" jurisdiction to deal with lingering issues related to the

[18] *See* Motion to Waive Hearing and Expedite Ruling on Pleadings for Motion for Reconsideration Due to Willful Violation of Appellant's Due Process Rights and Motion to File Documents Under Seal, *In re Kilpatrick*, Case No. 24-32461 (Bankr. S.D. Ohio Feb. 27, 2025) (Doc. 29) (asking the Court to "issue an **expedited ruling based solely on the pleadings** already submitted . . . .") (emphasis in original).

issuance of sanctions under Bankruptcy Rule 9011 that is "necessary or appropriate to enforce or implement court orders or rules, or to prevent an abuse of the process." *In re U.S. Corp. Co.*, No. 20-40375-KKS, 2021 Bankr. LEXIS 745, at *6, 2021 WL 1100078, at *3 (Bankr. N.D. Fla. Jan. 22, 2021) (discussing that under 11 U.S.C. § 105). Moreover, Ms. Kilpatrick has not stated any basis upon which to withdraw the reference from this Court for the matter of sanctioning her pursuant to Bankruptcy Rule 9011(c) and this Court finds that there is no basis.

That understood, the issue before this Court is whether, as Ms. Kilpatrick has requested, to stay "enforcement and effect of the July 17, 2025 order and all related pending orders[.]" Emergency Mot. for Stay at 1. The order in question is the *Order Granting Motion for Relief from the Automatic Stay (Rel. Doc. No. 30)* (Doc. 34), entered on July 18, 2025. The stated reason for this request is "to prevent irreversible prejudice, preserve the identity-linked trust *res*, and maintain judicial integrity pending the District Court's determination of Movant's concurrently filed Motion to Withdraw the Reference[.]" *Id.* In other words, her Emergency Motion to Stay is based on the same sovereign citizen theories she has espoused to both this Court and the Common Pleas Court. Layer on top the fact that there currently is no bankruptcy case or proceeding before this Court concerning the alleged "trust *res*"; namely, "108 Barnside Drive, Englewood, Ohio" and that Ms. Kilpatrick did not oppose the grant of stay relief in the order entered on July 18, 2025, did not appeal that order, and did not oppose or appeal the order dismissing her bankruptcy case, all readily leads to the conclusion that this Emergency Motion for Stay, like Ms. Kilpatrick's numerous other submissions, is not well-taken, is frivolous, and likely gives rise to further exposure for sanctionable conduct as it is rooted in continued reliance on the previously stricken VNOI. Moreover, as the Common Pleas Court held in a prior order, because Ms. Kilpatrick had two prior cases dismissed within the year prior to filing the most recent case, pursuant to § 362(c)(4) of the Bankruptcy Code no automatic stay ever went into effect.

Ms. Kilpatrick's prior stricken sovereign citizen papers are no more valid now than they were before. Thus, Ms. Kilpatrick's complaints in her present Motions that no court – neither this Court nor the Court of Common Pleas, Montgomery County, Ohio – has heeded her previously asserted sovereign citizen interest in her real estate, which she now asserts all hinge on one of her many filings, the so-called VNOI, likewise have no merit. She claims to have a superior equitable interest in her real estate being foreclosed under an alleged equity jurisdiction that operates outside of bankruptcy law, and can only be adjudicated by an Article III court, although her interest is

ultimately asserted under the Government of God. These arguments carry zero weight, do not entitle her to any relief, and do nothing but dig her potential sanctions hole deeper.

The main point is that because her Motions are based on the VNOI, which is a frivolous sovereign citizen filing, and has already been stricken by this Court, there is no possibility that she could establish any of the first, third, or fourth factors, regardless of whether she is going to suffer any harm by the continuation of the Foreclosure Action in Common Pleas Court or by virtue of the potential imposition of sanctions. However, as it concerns the Foreclosure Action, the "right" she is seeking to protect is no right at all, it is a frivolous made-up sovereign citizen theory of an interest. Thus, she cannot possibly suffer any harm by the denial of a frivolous interest and the lawful enforcement of rights against her real estate. In fact, the only harm would be in staying the Mortgagee's enforcement of its rights. And as to sanctions, those are only under consideration because of her own actions and filings, which she could resolve if she would have withdrawn them and ceased filing them. Matters solely within her control. The only thing that could possibly be stayed in this Court at this time is the consideration of sanctions; however, she has no likelihood of prevailing on the merits of her Motion to Withdraw the Reference, in this Court's estimation. Thus, it would be perverse for this Court to hold, and this Court will not hold, that its consideration of sanctions should be stayed while Ms. Kilpatrick continues to file frivolous sovereign citizen-based documents with this Court warranting sanctions. Accordingly, as noted above, the Court will schedule a hearing to provide Ms. Kilpatrick yet another opportunity to address those matters. And the Court will send her notice of the hearing by email (to the last address she supplied in a prior bankruptcy case and any other address she provides to the Court) as well as by mail through the Bankruptcy Noticing Center. In short, a stay is not warranted because Ms. Kilpatrick has not presented a legitimate legal interest or argument, has no chance of success on the merits, and has accomplished nothing but dig herself a deeper hole when it comes time for this Court to consider sanctions for her conduct which continues to violate Bankruptcy Rule 9011.

V. Conclusion

At its essence, Ms. Kilpatrick's present Motions are premised on her VNOI constituting a valid legal interest. But it is not. It is a sovereign citizen style filing, based on made-up legal theories that have been fully debunked. Thus, the VNOI is no basis to contest anything that happened in her now dismissed chapter 7 case, and a motion to withdraw the reference is no

substitute for an appeal, which she did not timely file. But more importantly, because her case was dismissed with prejudice and she was barred from filing another bankruptcy for one (1) year, there is simply nothing to withdraw from this Court and case law indicates that, in this circumstance, a motion to withdraw the reference is moot. And if the Motion to Withdraw the Reference is moot, there obviously is no basis to stay anything under Bankruptcy Rule 5011. Furthermore, the only thing this Court could possibly stay would be the imposition of sanctions on Ms. Kilpatrick, as that is the only matter now before the Court. However, her VNOI serves as no basis to stay the consideration of sanctions. Quite to the contrary, the fact that she continues to file motions and claim rights based on her frivolous sovereign citizen filings only confirms that this Court's consideration of the imposition of sanctions is appropriate and necessary to hopefully deter her future conduct in wasting judicial resources.

In conclusion, upon review of Ms. Kilpatrick's latest filings, there is nothing pending to withdraw and therefore there is nothing to stay. Moreover, her case is closed, she has not moved to reopen it (and would not be successful in doing so), and, in any event, the Court could not grant a stay of any previously issued final, non-appealable orders.

Accordingly, for the reasons set forth above, any and all relief sought in the Emergency Motion for Stay is hereby **DENIED**, as there is absolutely no basis for either her Emergency Motion for Stay or the related Motion to Withdraw the Reference, given that her bankruptcy case was already dismissed through a final, non-appealable order, for the very purpose of terminating the stay and preventing her from obtaining another stay through barring her from filing another bankruptcy. The Court will, however, at an appropriate time, schedule a hearing to discuss Ms. Kilpatrick's continuing and past violations of Rule 9011(b) of the Federal Rules of Bankruptcy Procedure ("Bankruptcy Rule") in order to give her one last opportunity to purge herself of the her ongoing violations under this Court's prior orders and to show cause why sanctions should not be issued by this Court under Bankruptcy Rule 9011(c). Presuming that she either does not appear or cannot show cause, the Court may proceed to impose sanctions.

In addition to entering this Order denying the Emergency Motion for Stay, this Court will transmit a separate Report and Recommendation to the District Court, along with the Motion to Withdraw the Reference, pursuant to 28 U.S.C. § 157(d) and Rule 5011(a) of the Federal Rules of

Bankruptcy Procedure and Local Bankruptcy Rule 5011-1(d), to recommend that the Motion to Withdraw the Reference be denied.

Finally, from a review of the docket in this case, it appears Ms. Kilpatrick did not provide a telephone number, which is required in all cases in which a debtor chooses to proceed *pro se* (without an attorney), pursuant to LBR 9011-2. She also omitted her email address, even though she provided an address in her prior two cases, Nos. 24-31598 and 24-32461. Upon entry of this Order, as a courtesy to Ms. Kilpatrick, a member of the Court's staff will transmit a copy of this Order to Ms. Kilpatrick at her previously disclosed email address, in addition to the service of a paper copy that she will receive by first-class U.S. Mail from the Bankruptcy Noticing Center.

IT IS SO ORDERED.

Copies to:

Default List Plus:

Nathan A. Wheatley, 170 N. High Street, Suite 200, Columbus, OH 43215
(Counsel for the United States Trustee)