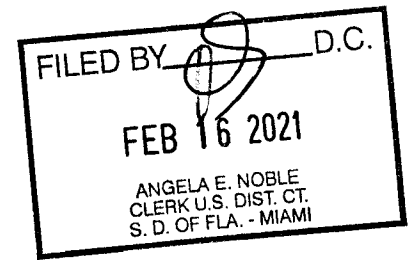


THE UNITED STATES DISTRICT COURT SOUTHERN
DISTRICT OF FLORIDA



JAMES BUCKMAN et, al.,

Plaintiff

V.

case No. 19-cv-24184-MGC

LANCASTER MORTGAGE COMPANY et. Al.,

Defendants,

-*
JUDGE MARCIA COOKE MUST RECUSE HERSELF AND
MEMORANDUM OF LAW

Pursuant to Florida Stat. 112. Florida Rule 2.160 (H) and Federal Rules of Civil Procedure Rule 60, Plaintiff James Buckman hereby files this Motion for Relief & Recusal and Supporting Memorandum regarding the Sept. 15, 2020 Judge Marcia Cooke review of the record and Final Judgement Order, Exhibit. A. B. and C based on the following facts, new Information, Rule just terms, judicial misconduct, fraudulent grounds and discovered conflict of personal investment interests on Financial Disclosures of Judges and officers of this Court (**Exhibit # A1**) Attached-American Funds, Chase Bank, etc. Special Situation Property Funds Account Page 42, IFRS 2018 Tables 9-13, SEC Filings-Deutsche Bank Florida Subsidiaries, Judge Marcia G. Cooke Financial Interests & Property Disclosures).

Florida Rule 2.160 (H) Says A Judge may Vacate his orders for Conflict of Interest Theodore R. Bundy V. Judge John A. Rudd Fl. Rule 2.160 (D) (1, Fl. Code Jud. Conduct , Canon 3E(1) A Judge shall disqualify himself where impartiality might reasonably be questioned Rule 2.160 (D) (1) grounds to disqualify is party fears Judge is Biased Fl. Statue 112.312 (8) Judge can't have a conflict of Interest !

Judge Marcia Cooke must Recuse herself for an open obvious Conflict of Interest because she's doing business with Deutsche Bank who took over from Lancaster mortgage Company and helping them to make money so that she can make money by foreclosing and taking (stealing) our property while acting as the Judge on the case on our property, not on case's Merits but for to make her and them money Illegally. Here's proof.

1. Judge Marcia Cooke says that American funds, Janus Funds, Chase Bank, Cosco, Target, Group, Fedex, Apple, Berthshire Hathaway, General Motors, Dunkin Brands, Ford Motor Company, StarBucks Corp. Fibiit CLA, Northstrom And Vaill Resorts, on the form 6 see **Ex. A1** full and public disclosure of Financial interests are the Bank and various companies she's doing business with, because she's doing business with Deutsche Bank and helping them to make money so that she can make money by foreclosing and taking our property while acting as the Judge to take the property and not on the Merits of the case but for to make her and them to make money illegally. Here's proof: In her **Form 6**, from Tallahassee called FULL AND PUBLIC DISCLOSURE OF FINANCIAL, form 6, **Exh.A1**. Says **page 4 line 1** Judge Marcia Cooke is doing Business with Chase (IRA) which is derived from Chase Bank which has been entered on her investments and trusts with an undisclosed amount, never the less JPMorgan Chase Bank is listed as one of Deutsche Banks Holdings on Exhibit **1b and b2** which might be reasonably be questioned, and the Janus Fund is listed of having an investment of at least \$15,000.00 or less by Judge Marica Cooke but the Janus Fund does business with Deutsche Bank as shown in **exhibit C1 pg.3** and **exb. D1 pg. 1&2**, and American Funds is also on her form 6 in which a \$15,000.00 investment was made but American Funds is also doing business with Deutsche Bank NA as seen on **Exb.E and Exhibit E2** on **page 2** Deutsche Bank has American Funds listed as a Holder on their list of shares, Costco is another one on her list in which she made another \$15,000.00 investment but as seen on **exhibit F and G** they are also doing business with Deutsche Bank, and Judge Cooke also has made an investment of \$15,000.00 or less on her form 6 to Target Corp is also a conflict

of interest with Deutsche Bank as seen in **Exb.H pg.2**, and then another investment of \$15,000.00 or less was made to Fedex on her form 6 see **exhibit I** Fedex is doing business with Deutsche Bank, and an investment of \$15,000.00 or less was invested in Apple which was also found to be doing business with Deutsche Bank in exhibits **J & K** and Berkshire Hathaway is on her form 6 with no amount of a listed investment made but they were still doing business with Deutsche Bank on **exhibit L pg. 1**, and on **exhibit M** Berkshire Hathaway is doing business with JPMorgan, Apple, and Costco along with Deutsche Bank. And a \$15,000.00 or less investment was made to General Motors. as seen in **exhibit N** General Motors is doing business with Deutsche Bank. And then an investment was made in another undisclosed amount of \$15,000.00 or less was made to Dunkin Brands but as you will see on exhibit **O & P** Dunkin brands is connected to Morgan Stanley and Morgan Stanley is connected to Deutsche Bank. And also on exhibit **PP** a \$15,000.00 or less investment was made on her Form 6 **exb. A1** to Ford Motor Co. And as you can see on exhibit **PP** and **Q** Ford Motor Company was doing business with Deutsche Bank and also on Her Form 6 an undisclosed amount again of \$15,000.00 or less was invested into Starbucks see **exhibit R** and in that **exhibit R** Starbucks is doing business with Deutsche Bank. And also on her form 6 Financials an investment in an undisclosed amount was made of \$15,000.00 or less to Fitbit Inc. On exhibit **S** but as seen on **Exhibit S** Fitbit is doing business with Deutsche Bank, and also another investment of \$15,000.00 or less was entered on Judge Cookes form 6 to Nordstrom, but on **exhibit T** Nordstrom is also doing business with Deutsche Bank. And finally an investment was made again on her form 6 financials in an undisclosed amount of \$15,000.00 or less to Vail Resorts as seen on exhibit **U, V and W** but what also is seen is Vail Resorts is also seen doing business with Deutsche Bank.

2.

Deutsche Bank is the same Bank that she's passing Orders on against us that's foreclosing, which is a major conflict of interest against us.,

Exh.1B, thru Exb. W of the afore mentioned exhibits and therefore, Judge Marcia Cooke must DISQUALIFY, RECUSE YOURSELF AND VACATE her ORDERS ON OUR PROPERTY 1977 NE 119th Rd. Miami Fla. 33181

MEMORANDUM OF LAW

The Plaintiffs maintains timely Constitutional due process civil rights for Florida Rule 2.160 (H) and Federal Rule 60 Relief to close this case with the original Dismissal with Prejudice in our the Defendants favor with requirement of Judge Marcia Cooke Recusal based on exposed financial conflicts of interests Fla. Stat.112.312 (8)(9).

Rule 2.160 (H) and FRCP Rule 60, relief from Judgment Or Order. and to vacate Order .

Their is to be no conflict of interest with the Judge and the Plaintiff against DEFENDANTS. like Deutsche Bank

(1) mistake, inadvertence, surprise, or excusable neglect;

(2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);

3. Fraud whether previously called intrinsic or extrinsic, misrepresentation or misconduct by an Opposing party

A Judge is expected to Recuse himself pursuant to Florida Rule 2.160 (H) Says A Judge may Vacate his orders for Conflict of Interest Theodore R. Bundy V. Judge John A. Rudd Fl. Rule 2.160 (D) (1) Fl. Code Jud. Conduct, Canon 3E(1) A Judge shall disqualify himself where impartiality might reasonably be questioned Rule 2.160 (D) (1) grounds to disqualify is party fears Judge is

Biased Fl. Statue 112.312 (8) Judge can't have a conflict of Interest ! and Fed. 28 U.S, C. § 455 Under § 455(a), Recusal is mandatory in "any proceeding in which his impartiality might reasonably be questioned." Fl. Code Jud. Conduct, Canon 3E(1) A And Under § 455(b), a judge is expected to disqualify himself whenever any of the five statutorily prescribed criteria can be shown to exist in fact; even if no motion or affidavit seeking such relief has been filed, and regardless of whether a reasonable person would question the judge's impartiality.

Fl. Code Jud. Conduct , Canon 3E(1) and *Fed. Section 455(b)* he shall also disqualify himself in the following circumstances.

(4) He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceedings

(d)(4) "financial interest" means ownership of a legal or equitable interest, however small

CONCLUSION

This Motion for Relief by vacating order Judgment Florida Rule 2.160 (H) and Recusal is based on new facts, related to a whistle blower's information, willful blindness, fraud, misconduct, and discovered evidence unknown at the time of the original Complaint filing Plaintiff could not reasonably know the financial dealings with Defendants of a yet to be assigned judge before the original Complaint filing As previously displayed by his Dismissal Order, due to cited improper financial conflicts of interest, Judge Marcia Cooke was incapable of impartially and without animus against Pro-Se Plaintiff or to exercise unbiased judicial duties

required for due process justice in this case. Judge Marcia Chas creditor loan history and business with Defendant Deutsche Bank that caused preferential Quid Pro *Quo* treatment by her .sua sponte review and Final Judgment Order.

Judge Marcia Cooke has significantly exposed investor financial interests in the subject matter in controversy with Plaintiffs and Defendants Deutsche Bank . that will be substantially negatively affected by the outcome of that proceedings when the Defendants “ultimately prevails and promotes in paid for adds in the media. Because people can’t win when the Judge is on the side of the Banksters to steal property and money off their Prey!

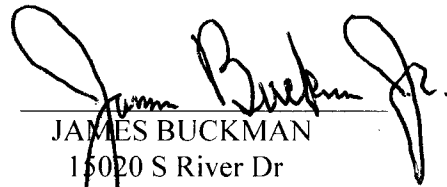
Example of Judges who already recused themselves from
US Bank

1. JUDGE DARRIN P. GAYLES Exhibit, P1.
2. THOMAS WILLIAMS Exhibit, Q1.

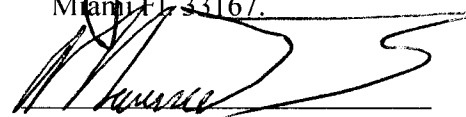
REQUIRED RELIEF

Pursuant to Federal Rules of Civil Procedure Rule 60, Plaintiff requires Relief from the Judgment Orders Exh.C11, D11. & exh.A based upon the stated facts, just terms, cited misconduct, Rule 60 grounds and newly discovered banking real estate fraud by court officers. Said Reopening Relief would require the Vacating of her Orders, Disqualify and Recusal of Judge Marcia Cooke from this and any of our future related Deutche Bank real estate cases. The Dismissal Order Relief also requires that all parties be reinstated to their prior positions in this action requiring Clerk issuance of Summons upon the Defendants and

allow the filing of a Motion to Dismiss Judge Monica Cooke's
Orders for cause, grounds and reasons stated herein filed



JAMES BUCKMAN
15020 S River Dr
Miami Fl. 33167.



MAURICE SYMONETTE
15020 S. River Dr.
Miami Fl. 33167

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF
THE FOREGOING HAS BEEN SENT BY US MAIL TO: THE LAW
OFFICE OF BLANK ROME LLP AT 500 E. BROWARD
BLVD.SUITE 2100, FT. LAUDERAL FL. 33394 Ph: 954-512-1813
Fax: 954-512-1818 AND TO ATTORNEY Daniel S. Hurtes Fla.State
Bar No: 69104, E-Mail: (DHurtes@blankrome/com).