

Civil Action No. 4:25-cv-02057

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	
	§	
ALEXANDER E. JONES,	§	Bankruptcy Case No. 22-33553
	§	
Debtor,	§	
	§	
ROBERT WYN YOUNG,	§	Civil Action No. 4:25-cv-02057
	§	
Appellant.	§	

ON APPEAL FROM ORDERS BY THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION, DENYING INTERVENTION PURSUANT TO FED. R. BANKR. P. 2018(a) (DOCKET 1129) AND CERTIFICATION FOR DIRECT APPEAL PURSUANT TO 28 U.S.C. § 158(d)(2)(A) (DOCKET 1164) AND BY THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION, DENYING A STAY OF PROCEEDINGS PENDING APPEAL PURSUANT TO FED. R. BANKR. P. 8007(b) (S.D.T. DOCKET 12)

APPELLANT’S BRIEF

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FED. R. BANKR. P. 8012 DISCLOSURE STATEMENT

Pursuant to **Fed. R. Bankr. P. 8014(a)(1)**, Appellant states that the Chapter 7 Debtor named in the caption, **Alexander E. Jones**, is the **only** debtor involved in the above-captioned Bankruptcy Case No. 22-33553 and related appeal, Civil Action No. 4:25-cv-02057; thus, there is **no** debtor **not** named in the above caption.

Date: **08/07/25**

/s/ Robert Wyn Young

Robert Wyn Young

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JURISDICTIONAL STATEMENT

This appeal, timely filed on May 4, 2025, arises from (1) an April 22, 2025, **Order** of the United States Bankruptcy Court for the Southern District of Texas, Houston Division, in the matter of In re Alexander E. Jones, Debtor, Bankruptcy Case No. 22-33553, denying Appellant’s **Motion for Leave to Intervene to Present Evidence of Fraudulent Judgment**, filed March 19, 2025, pursuant to **Fed. R. Bankr. P. 2018(a)** (Docket 1120, 1129, and 1135); (2) a June 5, 2025, **Order** of said Bankruptcy Court denying Appellant's May 15, 2025, **Request for Certification Under 28 U.S.C. § 158(d)(2)(A)** (Docket 1144, 1164, and 1193); and (3) a July 23, 2025, **Order** of the United States District Court for the Southern District of Texas, Houston Division, in the above-captioned Civil Action No. 4:25-cv-02057, denying Appellant’s **Rule 8007(b) Motion for Stay of Proceedings Pending Appeal** (S.D.T. Docket 6 and 12).

(A) Basis for Bankruptcy Court’s Subject Matter Jurisdiction:

The Bankruptcy Court possesses subject matter jurisdiction in Bankruptcy Case No. 22-33553 pursuant to **28 U.S.C. § 1334** as it is a case arising under **Title 11 of the United States Code**. Further, Appellant’s **Motion for Leave to Intervene** (Docket 1120) arose in/related to Bankruptcy Case No. 22-33553, thus, also being within the scope of **28 U.S.C. § 1334**.

(B) Basis for District Court’s Jurisdiction:

The District Court has jurisdiction to hear this appeal from the Bankruptcy Court’s April 22, 2025, **Order Denying Motion for Leave to Intervene** (Docket 1129), an interlocutory order, pursuant to **28 U.S.C. § 158(a)(3)**, and pursuant to Appellant’s election under **28 U.S.C. § 158(c)(1)** (Docket 1135).

Under the terms of **Fed. R. Bankr. P. 8006(b)**, the District Court acquired jurisdiction to hear Appellant’s May 15, 2025, **Request for Certification Under 28 U.S.C. § 158(d)(2)(A)** (Docket 1144) 31 days after the May 4, 2025, effective date of Appellant’s appeal, i.e., as of June 4, 2025. The Bankruptcy Court denied Appellant’s **Request for Certification** on June 5, 2025. (Docket 1164) The District Court, not the Bankruptcy Court, possessed jurisdiction to rule on Appellant’s **Request for Certification** as of June 5, 2025. On June 11, 2025, Appellant filed a **Rule 60(b)(4) Motion to Vacate Order Denying Request for Certification of Direct Appeal, Docket 1164** (S.D.T. Docket 5). Appellant’s **Rule 60(b)(4) Motion to Vacate** is unopposed and remains pending before the District Court.

(C) Timeliness of Appeal:

The Bankruptcy Court entered the **Order Denying Motion for Leave to Intervene** on April 22, 2025. (Docket 1129) Appellant filed a **Notice of Appeal and Statement of Election** with the Bankruptcy Clerk on May 4, 2025, within 14 days after the entry of the **Order** being appealed (Docket 1129), as required by **Fed. R.**

Bankr. P. 8002(a)(1). (Docket 1135) The notice of appeal became effective on May 4, 2025, pursuant to **Fed. R. Bankr. P. 8002**. See Bankruptcy Clerk's **Notice of Filing of an Appeal.** (Docket 1138)

(D) Nature of Order Giving Rise to Appeal and Basis for Jurisdiction

The District Court has jurisdiction to hear this timely appeal from the Bankruptcy Court's April 22, 2025, **Order Denying Motion for Leave to Intervene** (Docket 1129), an interlocutory order, pursuant to **28 U.S.C. § 158(a)(3)**.

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STATEMENT OF THE ISSUES PRESENTED

Appellant hereby submits the **four (4)** numbered **issues** listed below for and on appeal. Appellant set forth **Issue No. 1** in Appellant’s May 14, 2025, **Designation of the Record and Statement of the Issue(s) on Appeal**. (Docket 1143)

Issue Nos. 2 and 3 arise from/relate to the Bankruptcy Court’s **subsequent** June 5, 2025, **Order Denying Request for Certification of Direct Appeal** “[f]or the reasons stated on the record at the June 5, 2025, hearing”. (Docket 1164 and 1193) On appeal and in the District Court, Appellant has filed: **(1)** on June 11, 2025, a **Rule 60(b)(4) Motion to Vacate Order Denying Request for Certification of Direct Appeal, Docket 1164** (S.D.T. Docket 5); **(2)** on June 23, 2025, a **Rule 8009(e) Motion for Leave to Supplement the Record on Appeal** (S.D.T. Docket 7); and **(3)** on June 30, 2025, a **Rule 8009(e) Motion for Leave to Supplement Statement of the Issue(s) on Appeal** (S.D.T. Docket 8). To date, the District Court has **not** ruled on the aforesaid **unopposed** motions.

Issue No. 4 arises from the District Court’s July 23, 2025, **Order** (S.D.T. Docket 12) denying Appellant’s June 22, 2025, **Rule 8007(b) Motion for Stay of Proceedings Pending Appeal** (S.D.T. Docket 6). **Irreparable harm** to public interests of **public importance** might occur if proceedings in Alex Jones’ bankruptcy case are **not stayed** pending resolution of this appeal.

Accordingly, and **to preserve all rights/issues on appeal**, Appellant respectfully presents the following **four (4)** issues for and on appeal:

Issue No. 1

In view of the **absolute bar** of bankruptcy discharge for debts incurred by fraud or collusion under **Section 523(a)(2)(A)** of the Bankruptcy Code [as recognized/confirmed by unanimous decision of the Supreme Court in **Bartenwerfer v. Buckley**, 598 U.S. 69 (2023)], does a bankruptcy court abuse its discretion in denying a **Motion for Leave to Intervene to Present Evidence of Fraudulent Judgment** where: **(1)** operative and admissible evidence demonstrates **collusion between the parties** to the underlying lawsuit/judgment debt and the bankruptcy proceeding arising therefrom; **(2)** the **Chapter 7 Trustee fails or refuses** to fulfill his duties **to investigate and report** the credible allegation of fraud or collusion; and **(3)** the intervenor has suffered at least a **minimal or indirect injury** as a result of the existing parties' fraud or collusion and seeks intervention for the limited and specific purpose of submitting evidence of said fraud or collusion to the bankruptcy court?

Generally speaking, permissive intervention under **Fed. R. Bankr. P. 2018(a)** is discretionary. In re Durango Georgia Paper Co., 336 B.R. 594, 596 (Bankr. S.D. Ga. 2005). "An abuse of discretion occurs where the bankruptcy court (1) applies an improper legal standard[, reviewed de novo,] . . . or (2) rests its decision on findings of fact that are clearly erroneous." Barron & Newburger, P.C. v. Texas Skyline, Ltd. (In re Woerner), 783 F.3d 266, 270~71 (5th Cir. 2015). Appellant respectfully submits that the question presented should be answered **affirmatively** and that, under the circumstances of this case, it was, indeed, an **abuse of discretion** for the

Bankruptcy Court to deny Appellant's requested intervention in Case No. 22-33553 to present evidence of fraudulent judgment.

Issue No. 2

Given that, under **28 U.S.C. §§ 158(d)(2)(A)(i) and 158(d)(2)(B)(i)**, a bankruptcy court has **no discretion** to deny a request for certification for a direct appeal to the court of appeals of an order involving a matter of **public importance**, does a bankruptcy court have **unfettered discretion** under **Fed. R. Bankr. P. 2018(a)** to deny intervention where the interested party seeks to protect a public interest at stake, but not being adequately protected, in a case involving matter(s) of **public importance**?

Generally speaking, permissive intervention under **Fed. R. Bankr. P. 2018(a)** is discretionary. In re Durango, *supra*. However, certification is **mandatory** under **28 U.S.C. §§ 158(d)(2)(A)(i) and 158(d)(2)(B)(i)** where the order appealed involves a matter of **public importance**. Appellant respectfully submits that the question presented should be answered in the **negative** and that it was, indeed, an **abuse of discretion** for the Bankruptcy Court to deny the undersigned's requested intervention in this case involving matters of **public importance** where the Chapter 7 Trustee failed/refused to investigate and report the credible allegation of **fraud** presented.

Issue No. 3

Whether, after expiration of the 30-day period prescribed in **Fed. R. Bankr. P. 8006(b)** following the effective date of a notice of appeal, a bankruptcy court loses subject matter jurisdiction to rule on a request for certification of a direct appeal under **28 U.S.C. § 158(d)(2)(A)**, thus rendering its untimely

order on the request for certification **void** and subject to vacatur under **Fed. R. Civ. P. 60(b)(4)**?

This is a **jurisdictional issue**, to be reviewed on a **de novo** basis. Family Rehab., Inc. v. Azar, 886 F.3d 496, 500 (5th Cir. 2018). Appellant respectfully submits that the question presented should be answered **affirmatively** and that, in the circumstances of this case, the Bankruptcy Court did **not** possess subject matter jurisdiction, as of June 5, 2025, to rule on **Appellant's Request for Certification Under 28 U.S.C. § 158(d)(2)(A)** (Docket 1144). Accordingly, the Bankruptcy Court's June 5, 2025, **Order Denying Request for Certification of Direct Appeal** (Docket 1164) is **void**, as a matter of law, and it should be vacated in accordance with **Fed. R. Civ. P. 60(b)(4)**.

Appellant further and respectfully submits that the undersigned's May 15, 2025, **Request for Certification Under 28 U.S.C. § 158(d)(2)(A)** (Docket 1144) is **well-founded**; it was **unopposed** within the allowable fourteen (14) day period under **Fed. R. Bankr. P. 8006(f)(3)(A)** expiring on May 29, 2025, or at any other time prior to the June 5, 2025, status conference/hearing; and it should be **granted** on appeal.

Issue No. 4

Did the District Court err in denying Appellant's **Rule 8007(b) Motion for Stay of Proceedings Pending Appeal** (S.D.T. Docket 6 and 12)?

The standard of review for an order on a motion to stay is abuse of discretion. Drivetrain, LLC v. Kozel (In re Abengoa Bioenergy Biomass of Kan., LLC), 589 B.R. 731, 741 (D. Kan. 2018). Appellant respectfully submits that the question presented should be answered **affirmatively** as the District Court, like the Bankruptcy Court, **abused its discretion** in denying Appellant’s **Motion for Stay of Proceedings Pending Appeal**.

STATEMENT OF THE CASE

1. Background

The subject Chapter 7 bankruptcy chiefly arises from an alleged final judgment of \$1.43 Billion entered against the Debtor, Alexander E. Jones (“Alex Jones” or “Jones”), on December 22, 2022, in consolidated Connecticut state court defamation cases arising from or related to an alleged mass school shooting in Sandy Hook, Connecticut, occurring on December 14, 2012, and styled as Erica Lafferty, et al. v. Alex Emric Jones, et al., UWY-CV-18-6046436-S; William Sherlach v. Alex Jones, et al., UWY-CV-18-6046437-S; and William Sherlach v. Alex Emric Jones, et al., UWY-CV-18-6046438-S (herein also collectively referred to as “the Connecticut defamation cases” or as “the consolidated Connecticut defamation cases”).¹

¹ All references to the “Trial Ct. Dckt.” pertain to the trial court Case Detail/Docket for Erica Lafferty, et al. v. Alex Emric Jones, et al., UWY-CV-18-6046436-S (viewable at:

On appeal by Jones, the Connecticut Appellate Court ruled that: “The judgments are reversed only as to the plaintiffs’ CUTPA claim and the cases are remanded with direction to vacate the court’s award of \$150,000,000 in punitive damages pursuant to CUTPA; the judgments are affirmed in all other respects.” Erica Lafferty, et al. v. Alex Emeric Jones, et al., No. AC 46131, slip op. at 62 (Conn. App. Ct. December 10, 2024). Thus, the Connecticut Appellate Court reduced the alleged final judgment against Alex Jones in the consolidated Connecticut defamation cases from approximately \$1.43 Billion, to approximately \$1.3 Billion.

In late 2023 or early 2024, the undersigned heard Alex Jones and Attorney Norm Pattis speaking in a cagey way on Infowars about their Connecticut Sandy Hook appeal, and the undersigned decided to look into it. In then reviewing the trial and appellate court dockets in the matter of Lafferty, et al. v. Jones, et al., CT A.C. No. 46131, appeal from Superior Court Docket No. UWY-CV18-6046436-S (both also fully cited, *supra*), the undersigned **promptly** discovered **unequivocal** evidence that Alex Jones threw the defense of the Connecticut Sandy Hook defamation cases with his **very first responsive pleadings** (i.e., by deliberately failing to claim **federal question jurisdiction** when removing the related Lafferty and Sherlach

<https://civilinquiry.jud.ct.gov/CaseDetail/PublicCaseDetail.aspx?DocketNo=UWY CV186046436S>). All citations to “(Docket ___)” reference the case docket in the bankruptcy proceeding, Case No. 22-33553.

Connecticut **1st Amendment** lawfare cases to federal court). Indeed, as the undersigned came to learn in conducting further and diligent research, Jones' doing so was part of a broader, two~part and **treasonous** conspiracy to undermine or destroy our **1st** and **2nd Amendments**. Upon discovering confirming probable cause evidence of the two~part and **treasonous** Sandy Hook conspiracy, the undersigned became **duty~bound**, as a state and federally~licensed attorney, oathbound to support and defend the United States Constitution, **to expose it**. On November 1, 2024, the undersigned began publicly pursuing a public advocacy case to expose the two~part and treasonous Sandy Hook conspiracy.

On February 24, 2025, the undersigned emailed the Chapter 7 Trustee a **written explanatory statement** and **evidentiary submission** concerning the fraud/collusion described herein. (Docket 1120-4 through 1120-10) Receiving no response, the undersigned again emailed the Chapter 7 Trustee on February 27, 2025, requesting confirmation of his receipt of the first email, providing an executive summary of the operative evidence of **fraud** giving rise to Alex Jones' Chapter 7 bankruptcy (i.e., **Jones' deliberate failure to claim federal question jurisdiction in 1st Amendment cases**), and submitting additional evidence in the form of a demonstrative PowerPoint summarizing the Connecticut U.S. District Court Remand file (cited in full, below). (Docket 1120-11 and 1120-12) On February 28, 2025, the Chapter 7 Trustee sent the undersigned an email confirming his receipt of

the February 24th and 27th emails. The Chapter 7 Trustee's February 28th email did **not**, in any way, respond to the credible allegations, written explanations, or evidentiary submissions regarding fraud/collusion the undersigned submitted.

On March 4, 2025, the undersigned sent a reply email to the Chapter 7 Trustee **(1)** setting forth/reiterating reasonable/well~founded administrative questions/requests, **(2)** providing an additional demonstrative aid/exhibit regarding a Chapter 7 trustee's duties in response to a credible allegation of fraud/collusion, and **(3)** issuing well~founded and substantive **Legal Notices & Demands** concerning a proper and statutorily/ethically~mandated response to the undersigned's credible allegation of fraud/collusion. (Docket 1120-14 and 1120-15)

The Chapter 7 Trustee did not respond **in any way** to the undersigned's March 4th reply, well~founded ministerial/administrative requests and questions, or well~founded and substantive **Legal Notices & Demands**, set forth therein. For this reason, among others identified in the **Motion for Leave to Intervene** (Docket 1120 at 8-9), it became incumbent upon the undersigned to promptly seek leave on March 19, 2025, to intervene in the subject bankruptcy proceeding, as a pro se litigant, to protect the undersigned's interests as a United States citizen and state and federally~licensed attorney in ensuring: **(1)** the **integrity of federal judicial process**; **(2)** the protection of the **1st Amendment** to the United States Constitution; and **(3)** the efficacy of the undersigned's efforts in fulfilling the undersigned's duties

to protect and defend the Constitution. These **legitimate** and **substantial** interests were and are **not** being adequately represented by the Chapter 7 Trustee, the Debtor, or by any of the creditors or other parties, all of whom, to date, had failed or refused to bring the egregious and obvious **fraud** (more fully described *infra*) to the attention of the Bankruptcy Court.

2. **The Request for Intervention**

On March 19, 2025, the undersigned filed a **Motion for Leave to Intervene to Present Evidence of Fraudulent Judgment** in Case No. 22-33553. (Docket 1120) On April 8, 2025, the Connecticut Families creditors filed an **Opposition to Motion for Leave to Intervene** (Docket 1124) which argued only that the undersigned lacks standing to intervene. On April 11, 2025, the undersigned filed a **Reply in Support of Motion for Leave to Intervene** (Docket 1128).

On April 22, 2025, the Bankruptcy Court issued an **Order Denying Motion for Leave to Intervene** (Docket 1129) on the basis of lack of standing, i.e., according to the Bankruptcy Court:

The Court carefully considered Young's motion and reviewed the exhibits. Young has no identifiable economic interest in this case. The Connecticut judgment was entered against Jones and he is represented by sophisticated counsel in this case and a related adversary case involving a determination about whether all or part of the Connecticut judgment is excepted from any discharge entered in this case. The concerns raised by Young are adequately represented by existing parties and permitting intervention risks causing undue delay in a case that has been pending since

December 2022. Thus, the Court declines to permit Young to permissively intervene and will not order any party to submit reports about the exhibits.

(Docket 1129 at 2)

3. **The Filing of an Appeal**

On May 4, 2025, Appellant filed a timely **Notice of Appeal and Statement of Election** appealing the Bankruptcy Court's April 22, 2025, **Order Denying Motion for Leave to Intervene** (Docket 1129). (Docket 1135) (See, also, Docket 1138.) Along with the **Notice of Appeal**, Appellant contemporaneously filed a **Motion for Leave to Appeal Order Denying Intervention**. (Docket 1135-2)

On May 6, 2025, the undersigned filed an electronic **Election to Appeal to Court of Appeals**. (Docket 1136) On May 14, 2025, the undersigned filed **Appellant's Designation of the Record and Statement of the Issue(s) on Appeal**. (Docket 1143)

On May 15, 2025, the undersigned filed **Appellant's Request for Certification Under 28 U.S.C. § 158(d)(2)(A)** to pursue a direct and immediate appeal to the Fifth Circuit Court of Appeals. (Docket 1144) No response in opposition to **Appellant's Request for Certification** was submitted within the allowable fourteen (14) day period under **Fed. R. Bankr. P. 8006(f)(3)(A)** expiring on May 29, 2025.

On May 21, 2025, the undersigned filed **Appellant's Rule 8007 Motion for Stay of Proceedings Pending Appeal**. (Docket 1153) On May 28, 2025, the

Chapter 7 Trustee filed a **Statement of Trustee in Connection with Appeal of Robert Wyn Young** (S.D.T. Docket 2); but no party filed any opposition to **Appellant’s Rule 8007 Motion for Stay** prior to, and said motion was **not** yet ripe for decision on, June 5, 2025.

4. The June 5, 2025, Status Conference/Hearing in Case No. 22-33553

On June 3, 2025, the Bankruptcy Court’s 30 day period of retention of jurisdiction under **Fed. R. Bankr. P. 8006(b)**, following the May 4, 2025, effective date of Appellant’s appeal (see Docket 1138), **expired**. On June 5, 2025, the Bankruptcy Court conducted a status conference/hearing and issued an **Order Denying Request for Certification of Direct Appeal and Denying Motion to Stay Pending Appeal** “[f]or the reasons stated on the record at the June 5, 2025, hearing”. (Docket 1164)

On June 9, 2025, Appellant filed an AO 435 order for a transcript of the June 5, 2025, status conference/hearing. (Docket 1175) On June 11, 2025, Appellant filed a **Rule 60(b)(4) Motion to Vacate Order Denying Request for Certification of Direct Appeal, Docket 1164** in the District Court (S.D.T. Docket 5) on the grounds that, as of June 5, 2025, and under the plain terms of **Fed. R. Bankr. P. 8006(b)**, the Bankruptcy Court lacked subject matter jurisdiction to issue said order, and it is thus properly deemed as **void**. (S.D.T. Docket 5 at 1) On June 17, 2025, Veritext

submitted a **Notice of Electronic Filing** of the “Transcript RE: hearing held on 6/5/25 before Judge Christopher Lopez.” (Docket 1193)

In **Appellant’s Request for Certification** (Docket 1144) (which Appellant respectfully submits **remains viable** because the Bankruptcy Court lacked subject matter jurisdiction as of June 5, 2025, to rule on/deny same), the undersigned seeks an immediate and direct appeal to the Fifth Circuit Court of Appeals on the grounds **(1)** that an immediate appeal from the April 22, 2025, **Order** denying intervention (Docket 1129) may materially advance the progress or affect the ultimate outcome or **termination** of the instant Chapter 7 case and that certification is, therefore, appropriate under **28 U.S.C. § 158(d)(2)(A)(iii)**, and **(2)** that the **Order** appealed (Docket 1129) involves a matter of **public importance** and that certification for a direct and immediate appeal to the Fifth Circuit Court of Appeals is, therefore, appropriate under **28 U.S.C. § 158(d)(2)(A)(i)**.

In denying **Appellant’s Request for Certification** (Docket 1144) (which, again, was done without subject matter jurisdiction), the Bankruptcy Court stated the following:

157(d)(2)(B)(ii) [**sic**] mandates that if any of the four conditions are met, I make the certification, but none of them apply here. It would involve a permissive motion to intervene in both the text and Bankruptcy Rule 2018. And the law in this district is clear that intervention is permissive.

(Docket 1193 at 9) The Bankruptcy Court held that **28 U.S.C. § 158(d)(2)(A)(i)** “doesn’t support certification”, apparently because **Fed. R. Bankr. P. 2018(a)** does not, in the Bankruptcy Court’s view, support the undersigned’s intervention. (Docket 1193 at 9) Further, in holding **28 U.S.C. § 158(d)(2)(A)(iii)** inapplicable, the Bankruptcy Court stated: “an immediate appeal would not advance the progress of this case, which has been pending since 2022.” (Docket 1193 at 9~10) For the foregoing reasons, the Bankruptcy Court denied **Appellant’s Request for Certification** (Docket 1144). (Docket 1193 at 10)

In ruling on Appellant's May 21, 2025, **Rule 8007 Motion for Stay** (Docket 1153), the Bankruptcy Court cited In re First South Savings Association, 820 F.2d 700, 709 (5th Cir. 1987), for the factors to be weighed in deciding whether to grant a stay of proceedings pending appeal, namely, **(1)** whether the movant has made a showing of likelihood of success on the merits, **(2)** whether the movant has made a showing of irreparable injury if the stay is not granted, **(3)** whether the granting of a stay would substantially harm the other parties, and **(4)** whether the granting of the stay would serve the public interest. (Docket 1193 at 11~12)

In regard to factor **(1)**, the Bankruptcy Court stated that it “strongly disagree[s]” that Appellant has made a showing of likelihood of success on the merits. (Docket 1193 at 11) In regard to factor **(2)**, the Bankruptcy Court stated that

“there’s been no showing of irreparable injury.” *Id.* In regard to factor **(3)**, the Bankruptcy Court stated:

Whether the granting of a stay would substantially harm the other parties. The answer is no. I think quite frankly it would be harming the trustee’s ability to function throughout this case and quite frankly, Mr. Jones’ ability to proceed as a Chapter 7 debtor.

(Docket 1193 at 12) Finally, in regard to factor **(4)**, the Bankruptcy Court found that a stay of proceedings would **not** serve the public interest. *Id.*

Appellant does **not** dispute that the Bankruptcy Court **retained jurisdiction**, as of June 5, 2025, to rule on Appellant’s May 21, 2025, **Rule 8007 Motion for Stay of Proceedings Pending Appeal** (Docket 1153). However, Appellant respectfully asserts that, under the circumstances of this case, the Bankruptcy Court **erred** in denying the requested stay of proceedings. (Docket 1164 and 1193)² In this appeal, the undersigned seeks to protect **at-risk interests of momentous public importance** and seeks relief that may **promptly** and **materially** advance the progress or affect the ultimate outcome or **termination** of the underlying Chapter 7 case. Accordingly, a stay of **all proceedings** in Bankruptcy Case No. 22-33553, pending the outcome of the undersigned’s appeal in Civil Action No. 4:25-cv-02057, is both **necessary** and **appropriate**.

² For the reasons more fully set forth *infra*, the District Court also erred in denying Appellant’s subsequent **Rule 8007(b) Motion for Stay of Proceedings Pending Appeal** (S.D.T. Docket 6 and 12).

5. Present Procedural Posture

On June 22, 2025, Appellant filed a **Rule 8007(b) Motion for Stay of Proceedings Pending Appeal** in the District Court. (S.D.T. Docket 6) On July 10, 2025, and **11 days out-of-rule** under **Fed. R. Bankr. P. 8013(a)(3)(A)**, the Chapter 7 Trustee filed an **Objection to Motion for Stay**. (S.D.T. Docket 10) Neither the Chapter 7 Debtor, nor Alex Jones, nor any of his purported creditors filed any opposition to **Appellant's Rule 8007(b) Motion for Stay**. On July 23, 2025, the District Court denied Appellant's **Rule 8007(b) Motion for Stay** in summary fashion, **very similar** to the way in which the Bankruptcy Court denied the undersigned's requested intervention. (Docket 1129 and S.D.T. Docket 12)

On appeal in the District Court, Appellant has additionally filed: (1) on June 11, 2025, a **Rule 60(b)(4) Motion to Vacate Order Denying Request for Certification of Direct Appeal, Docket 1164** (S.D.T. Docket 5); (2) on June 23, 2025, a **Rule 8009(e) Motion for Leave to Supplement the Record on Appeal** (S.D.T. Docket 7); and (3) on June 30, 2025, a **Rule 8009(e) Motion for Leave to Supplement Statement of the Issue(s) on Appeal** (S.D.T. Docket 8). To date, the District Court has **not** ruled on any the aforesaid **unopposed** motions.

SUMMARY OF ARGUMENT

Both the Bankruptcy Court³ and the District Court⁴ **sidestep** and do **not** directly address the following four (4) main issues, legitimately raised by Appellant, which are both attendant to and determinative of the **four (4) numbered questions** listed above and presented on appeal:

- A. Whether Alex Jones' obviously~deliberate **failure** to claim **federal question jurisdiction** for **1st Amendment** SLAPP lawfare suits he was removing to federal court constitutes operative evidence of **fraud** or **collusion** sufficient to mandate the **termination** of Alex Jones' Chapter 7 bankruptcy case?⁵

- B. Whether the Chapter 7 Trustee's **unexplained failure/refusal to fulfill his statutory obligations** of investigating and reporting the credible allegation of **collusion/fraud** herein presented demonstrates that legitimate interests of **public importance**, namely the **integrity of federal judicial process** and the **viability of the 1st Amendment**, are **not** being **adequately protected** in Alex Jones' Chapter 7 bankruptcy case?

- C. Whether Appellant's oathbound duties as a state and federally~licensed attorney to protect and defend the Constitution against **treasonous fraud**, coupled with **economic costs and expenses** Appellant has **reasonably incurred** in fulfilling said oathbound duties, give Appellant an "**economic or similar interest**" to intervene in a bankruptcy case where (a) the debtor and creditors are demonstrably engaged in a collusive and continuing **scheme to defraud the courts and the American people**, (b) the Chapter 7 Trustee fails/refuses **without explanation** to fulfill his statutory obligations to **investigate and report** the credible allegation of **fraud** presented, and (c) Appellant's

³ (in denying Appellant's **Motion for Leave to Intervene**, Docket 1120 and 1129, and Appellant's **Request for Certification Under 28 U.S.C. § 158(d)(2)(A)**, Docket 1144, 1164 and 1193)

⁴ (in denying Appellant's **Rule 8007(b) Motion for Stay**, S.D.T. Docket 6 and 12)

⁵ See Lafferty Fed Ct. Remand File. (Docket 1120-1)

oathbound duties to act in protection of the viability of Constitution and the integrity of federal judicial process are **triggered** by the **wrongful conduct** of the colluding parties and the recalcitrant Chapter 7 Trustee?

- D. Whether interests of **public importance**, namely, the **integrity of federal judicial process** and the **viability of the 1st Amendment**, are implicated and potentially placed in jeopardy by the provision of bankruptcy relief respecting a notorious and demonstrably~fraudulent **\$1.3 Billion free~speech~chilling default judgment** against a well~known public figure/purported **journalist**?

Appellant concedes that intervention under **Fed. R. Bankr. P. 2018(a)** is permissive and discretionary; but the **scope of discretion** a bankruptcy court may exercise in this regard is **limited** where the intervention being sought concerns (1) an **ultimate issue** that can bring about a **termination** of the bankruptcy case, or (2) a matter of **public importance**. In this case, the intervention Appellant seeks ~ to present evidence of a **fraudulent** and **free~speech~chilling \$1.3 Billion default defamation judgment** giving rise to the Chapter 7 bankruptcy of a well~known public figure/purported journalist ~ implicates **both** (a) an **ultimate issue** that can and should bring about a **termination** of Alex Jones' pending bankruptcy, i.e., a **Section 707(b)** dismissal for substantial abuse of the bankruptcy process, **and** (b) matters of **public importance**, namely, the protection of the **viability of the 1st Amendment** and the **integrity of federal judicial process** against **treasonous fraud**.

The Bankruptcy Court **abused its limited discretion** in this instance by taking an overly~narrow view of “**an interested entity**” under **Fed. R. Bankr. P. 2018(a)** and summarily ruling, without addressing **any** of the four (4) main issues raised by Appellant and identified above, that Appellant “has no identifiable economic interest in this case” and, therefore, must be denied intervention. (Docket 1129 at 2) The Bankruptcy Court **erred** in so ruling.

The Bankruptcy Court also **erred** in denying Appellant’s **Request for Certification Under 28 U.S.C. § 158(d)(2)(A)** (Docket 1144, 1164, and 1193) because (1) under the terms of **Fed. R. Bankr. P. 8006(b)**, the Bankruptcy Court lacked subject matter jurisdiction as of June 5, 2025, to rule on Appellant’s **Request for Certification**, and (2) in any event, the Bankruptcy Court **both** applied an improper legal standard to Appellant’s **Request for Certification**, **and** it rested its decision on findings of fact that are clearly **erroneous**.

ARGUMENT

1. Relevant Standards

Fed. R. Bankr. P. 2018, regarding **Intervention** and **Right to Be Heard**, states the following regarding Permissive Intervention: “In a case under the Code, after hearing on such notice as the court directs and for cause shown, the court may permit any interested entity to intervene generally or with respect to any specified matter.” [**Fed. R. Bankr. P. 2018(a)**]

The Northern District of Texas reiterated **applicable (not exclusive)** standards for deciding a **Fed. R. Bankr. P. 2018(a)** motion for leave to intervene in a bankruptcy case, stating:

In deciding whether to permit intervention under Rule 2018(a), courts look to **various** factors, **including** (1) whether the moving party has an economic **or similar interest** in the matter; (2) whether the interest of the moving party **[is] adequately represented** by the existing parties; [(3)] whether the intervention will cause **undue** delay to the proceedings; and (4) whether the denial of the movant's request will adversely affect their **interest**.

In re Acis Cap. Mgmt., 604 B.R. 484, 513 (N.D. Tex. 2019), quoting Pasternak & Fidis, P.C. v. Wilson, 2014 WL 4826109, at *6 (D. Md. Sept. 23, 2014) (collecting cases). [Emphasis added.] Thus “[t]he standards under Rule 2018 and [Rule] 24 overlap.” In re Adilace Holdings, Inc., 548 B.R. 458, 462 (Bankr. W.D. Tex. 2016). “The decision whether to allow intervention is wholly discretionary under Rule 2018 . . . even where each required element is met.” *Id.* at 463.

In Sylvester v. Chaffe McCall, No. 23-30003 (5th Cir. September 8, 2023), the Fifth Circuit outlined the following standards for abuse of discretion in the context of a bankruptcy case:

“An abuse of discretion occurs where the bankruptcy court (1) applies an improper legal standard, reviewed de novo, . . . or (2) rests its decision on findings of fact that are clearly erroneous.” . . . We will only overturn the factual findings of the bankruptcy court if “we are left with a ‘firm and definite conviction’ that the bankruptcy court committed a mistake.” *In re Bradley*, 960 F.2d 502, 507 (5th Cir. 1992) (quoting in part *United States v. U.S. Gypsum Co.*, 333 U.S. 364, 395 (1948)).

Sylvester, at 4. Further, “An abuse of discretion can occur if (1) the court fails to ‘actually . . . exercise discretion, deciding instead as if by general rule, or even arbitrarily’; (2) the court fails to take relevant facts ‘constraining its exercise’ of discretion into account; or (3) its decision is based on erroneous conclusions of law or fact.” United States v. Roberson, 188 B.R. 364, 365 (D. Md. 1995) (citing James v. Jacobson, 6 F.3d 233, 239 (4th Cir.1993)).

Appellant respectfully submits that, in this case, the Bankruptcy Court’s findings of fact with respect to the **standing issues** for intervention identified above are clearly erroneous and that, in considering the undersigned’s **Motion for Leave to Intervene** (Docket 1120), the Bankruptcy Court decided “as if by general rule, or even arbitrarily”. (See Bankruptcy Court’s one~paragraph recitation of elements and conclusions regarding Appellant’s requested intervention, quoted in **Section 2. The Request for Intervention** of the above **Statement of the Case**, Docket 1129 at 2.) In denying Appellant’s **Rule 8007(b) Motion for Stay**, the District Court similarly ruled “as if by general rule, or even arbitrarily”. (S.D.T. Docket 12)

Neither the Bankruptcy Court, in ruling on Appellant’s **Motion for Leave to Intervene** (Docket 1120 and 1129) and on Appellant’s **Request for Certification Under 28 U.S.C. § 158(d)(2)(A)** (Docket 1144, 1164, and 1193), **nor** the District Court, in ruling on Appellant’s **Rule 8007(b) Motion for Stay** (S.D.T. Docket 6 and 12), took **any** account of the **four (4) main issues**, legitimately raised by Appellant

and listed above in the **Summary of Argument**, which are both attendant to and determinative of the **four (4) numbered questions** presented on appeal. This characterizes **abuse of discretion**, on **both** levels, and with respect to **all three (3)** motions.

“Determining whether a given party is a ‘party in interest’ is a recurring problem in the bankruptcy arena.” Peachtree Lane Associates, Ltd. v. Granader (In re Peachtree Lane Associates, Ltd.), 188 B.R. 815, 824 (N.D. Illinois 1995). The

Peachtree Court reasoned:

This Court is of the opinion that the proper answer to the question “May a noncreditor qualify for party in interest standing?” is [dependent] on the purpose for which party in interest standing is sought. Virtually every case discussing party in interest standing that has been cited to the Court, as well as those the Court has reviewed on its own efforts, have involved contexts that lie at the heart of the reorganization process, such as standing to sponsor or object to a plan of reorganization, [citations omitted]. **In such contexts**, it is entirely sensible, when considering party in interest status, to inquire as to whether the proposed party in interest is a **creditor** or has some other **pecuniary** stake in the outcome of the **reorganization**. *** As this case illustrates, the determination as to the proper venue of the underlying bankruptcy case is one that has **ramifications that extend beyond** those, such as creditors who have a direct pecuniary stake in the outcome of the reorganization process. It has very real **practical consequences** for those who may be dragged into the bankruptcy process through adversary proceedings. This Court believes that **fundamental fairness** requires that those who have a **practical stake** in the proceedings be afforded an **opportunity to be heard** on the issues that affect them.

Peachtree, 188 B.R. at 827. [Emphasis added.]

Under **28 U.S.C. §§ 158(d)(2)(A)(i)** and **158(d)(2)(B)(i)**, a bankruptcy court has **no discretion** to deny a request for certification for a direct appeal to the court of appeals of an order involving a matter of **public importance**. It, therefore, defies logic that a bankruptcy court would have **unfettered discretion** under **Fed. R. Bankr. P. 2018(a)** to deny intervention where the interested party seeks to protect a public interest at stake, but not being adequately protected, in a case involving matter(s) of **public importance**.

The four (4) criteria for a stay pending appeal are: “(1) whether the movant has made a showing of likelihood of success on the merits; (2) whether the movant has made a showing of irreparable injury if the stay is not granted; (3) whether the granting of a stay would substantially harm the other parties; and (4) whether the granting of the stay would serve the public interest.” In Re First South Savings Association, 820 F.2d 700, 709 (5th Cir. 1987). The decision whether to grant or deny a stay pending appeal rests in the discretion of the court. *Id.*

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2. **Appellant's intervention and the evidence of collusion/fraud Appellant seeks to introduce can/should bring about a termination of Alex Jones' bankruptcy case, pursuant to Section 707(b), as a substantial abuse of the bankruptcy process.**

A. **The \$1.3 Billion Connecticut state court default judgment against Alex Jones is blatantly fraudulent.**

The following **red flags** associated with and pointing to the fraudulent nature of the \$1.3 Billion Connecticut state court judgment chiefly giving rise to Alex Jones' Chapter 7 bankruptcy (i.e., accounting for **99.6%** of the **\$969,260,000.00** in unsecured debts Alex Jones listed on his December 2, 2022, **Official Form 104** to his **Voluntary Petition**, Docket 1 at 11~18) are obvious and impossible to miss: **(1)** a \$1.43 Billion (now, \$1.3 Billion) judgment entered in consolidated defamation cases against a public figure/purported journalist, **(2)** by default and after appearance was made, **(3)** following a remand (or remands) of the consolidated Connecticut Sandy Hook cases by the federal court for **lack of subject matter jurisdiction**, **(4)** in consolidated **1st Amendment** lawfare cases. The described **red flags** point any reasonable and diligent creditor or investigator to the Lafferty U.S. District Court remand file [Lafferty Fed Ct. Remand File (Full), Trial Ct. Dckt. 112.00, 11/21/18 (Docket 1120-1)] which, of course, is both part of and included in the Lafferty Connecticut state court case file.

How, in the world, could the United States District Court for the District of Connecticut have ever, possibly, lacked subject matter jurisdiction to rule on

the 1st Amendment~based, Anti~SLAPP Special Motion to Dismiss that Alex Jones filed with said federal court in the Lafferty case on July 20, 2018?? (Docket 1120-1, at 151~204) There's **only one way** that could possibly have happened, and that was **for Alex Jones to deliberately fail to claim federal question jurisdiction, under 28 U.S.C. § 1331, in his July 13, 2018, Notice of Removal of the Lafferty case.** And that is exactly what Alex Jones did^{6, 7}, and that is exactly what the Connecticut Sandy Hook Plaintiffs pointed out on the 1st page of their successful July 31, 2018, Motion to Remand, specifically, that: “defendants’ only asserted basis for federal jurisdiction is diversity jurisdiction under 28 U.S.C. § 1332.” (Docket 1120-1, at 268~293) Diversity of citizenship, as it happens, did **not** even exist on the face of the Lafferty Complaint. (Docket 1120-1, at 19~61)

The consolidated Connecticut defamation cases against Alex Jones should **never**, following **honest** and **proper** (i.e., **non~collusive**) removals to federal court, have been back to the state and local Connecticut court, the worst possible venue for resolution of these highly~charged, highly~controversial, and highly~suspicious

⁶ See Alex Jones’ Notice of Removal in Lafferty, U.S. District Court Case No. 3:18-cv-01156, Document 1, Filed 07/13/18 (**Docket 1120-1, at 11~82**).

⁷ See, also, Alex Jones’ Notice of Removal in Sherlach, U.S. District Court Case No. 3:18-cv-01269, Document 1, Filed 07/31/18 [attached as Exhibit A to Alex Jones’ 07/31/18 Lafferty state court Notice of Filing Notice of Removal (of the related Sherlach case); see Lafferty Trial Ct. Dckt. 110.00]; and Alex Jones’ Motion to Extend Deadline to Respond to Motion to Remand (both Lafferty and Sherlach cases removed on asserted basis of diversity, alone). (**Docket 1120-1, at 319~322**).

defamation cases. The proof is in the pudding; and the pudding here is an outrageous, **1st Amendment speech~chilling \$1.43 Billion default judgment**, boiled~down to a mere \$1.3 Billion by the Connecticut Appellate Court after hearing the “best arguments” Alex Jones had to offer.

Alex Jones’ obviously and deliberately~ineffective July 2018 Notices of Removal in the Lafferty and Sherlach cases constitute **operative evidence of collusion or self~sabotage by the defense** and, thus, of the **fraudulent** nature of the \$1.3 Billion Connecticut state court default judgment giving rise to the instant Chapter 7 bankruptcy, **as a matter of law**, meaning that reasonable minds cannot reasonably differ in this regard.

As stated in Appellant’s February 27, 2025, email to the Chapter 7 Trustee (sent **20 days** before Appellant sought leave to intervene on March 19, 2025):

This is not a complicated case, **Trustee Murray. Alex Jones** and his **Randazza** law firm attorney, **Jay Wolman**, a graduate of **Cornell** and **Georgetown Law**, and a 25~year, **AV-Preeminent** rated lawyer, did **not** simply **forget, twice**, in removing the Lafferty and Sherlach cases to federal court in July 2018, **to claim federal question jurisdiction** under **28 U.S.C. Section 1331** to ensure the **U.S. District Court for the District of Connecticut** would have **subject matter jurisdiction** to consider and rule upon the merits of the **1st Amendment~based Special [Anti~ SLAPP] Motion to Dismiss** they also filed with the federal court in July 2018. (Please see the attached 13~Slide **PwrPnt for Jones BR Trustee.**)

This was a setup, and **Alex Jones** and his **Randazza** attorneys took an immediate and purposeful dive on the defense of the Connecticut Sandy Hook defamation cases. Based merely upon **Alex Jones’** federal court filings in July

2018 **alone**, there is **more than probable cause** for reasonable minds to conclude that the **\$1.3 Billion Connecticut state court judgment** giving rise to the instant **Chapter 7** bankruptcy of **Alex Jones was fraudulently ~obtained.**

(Docket 1120-11) [Emphasis as in original.]

In his May 28, 2025, **Statement in Connection with Appeal**, the Chapter 7 Trustee called the undersigned's peer-reviewed allegation of fraud (as described above) "highly speculative". (S.D.T. Docket 2 at 1) (See, also, Docket 1120-10, **Exhibit 10**: Callender's AJ_SH Endorsement 12.23.24) The question as to **why** Alex Jones threw the defense of the Connecticut defamation cases might still be subject to **some** speculation; but the **fact** that Alex Jones **did, indeed, throw the defense** of the Connecticut defamation actions, and immediately so, by failing to claim federal question jurisdiction for and with respect to **1st Amendment** lawfare cases, is **beyond cavil.**⁸

Alex Jones' filing of a **deliberately~ineffective** Notice of Removal in Lafferty on July 13, 2018, followed promptly by his July 20, 2018, filing of a potentially~dispositive **1st Amendment~based, Anti~SLAPP Special Motion to Dismiss** (which Jones effectively ensured would not be worth the paper it was written on) (Docket 1120-1 at 11~82 and 151~ 204) was a cynical and sophomoric sleight of hand to abuse and undermine not only **federal judicial process**, but also

⁸ See Lafferty U.S. District Court Remand File. (Docket 1120-1)

the **Constitution**, itself, which both establishes the federal judiciary and enumerates our Bill of Rights. Jones colluded with the Connecticut Families to make **a show of a fight** in federal court, wasting the valuable time and limited resources of **and committing a fraud on** the Connecticut U.S. District Court, and generating a **false impression** among the public, via Jones' filed, but terminated **Special Motion to Dismiss**, that well-established **1st Amendment** jurisprudence, e.g., N.Y. Times Co. v. Sullivan, 376 U.S. 254 (1964), is no longer valid or has been reversed. (Docket 1120-1 at 151~204 and 385~398)

At Page 11 of the June 5, 2025, status conference/hearing transcript (Docket 1193), the Bankruptcy Court states: "I've read everything that was submitted as well. So it's not like I turned a blind eye to anything that came my way. I read it." These statements by the Bankruptcy Court raise the following questions: Did the Bankruptcy Court deny the undersigned's **Motion for Leave to Intervene** (Docket 1120), and refuse to accept and consider the submitted evidence of fraud, as in accordance with the Bankruptcy Court's April 22, 2025, **Order Denying Motion for Leave to Intervene** (Docket 1129)? Or, did the Bankruptcy Court, despite its April 22, 2025, **Order Denying Motion for Leave to Intervene** (Docket 1129), **nevertheless review and consider** the evidence submitted by the undersigned, particularly the Lafferty U.S. District Court Remand File (Docket 1120-1), and decide that Alex Jones' repeated failure to claim federal question jurisdiction for **1st**

Amendment lawfare cases being removed to federal court most assuredly does **not** indicate or raise suspicion of fraud or collusion? Which is it? The Bankruptcy Court is decidedly vague in this regard.

In his July 10, 2025, **Objection to Motion for Stay Pending Appeal**, the Chapter 7 Trustee stated: “The documents the Appellant proposed to submit have been reviewed by the Court, have been sent to the U.S. Trustee’s office, and have been reviewed by the Trustee.” (S.D.T. Docket 10 at 7) This is the same **pretext for evasion**, as identified above, that was employed by the Bankruptcy Court at the June 5, 2025, status conference/hearing. To date, **no party** has directly addressed the central and dispositive question raised by Appellant, namely, whether, or not, Alex Jones’ obviously~deliberate **failure** to claim **federal question jurisdiction** for 1st **Amendment** SLAPP lawfare suits he was removing to federal court constitutes operative evidence of **fraud** or **collusion** sufficient to mandate the **termination** of Alex Jones’ bankruptcy case? Perhaps the wholesale evasion of this question speaks more prominently than any answer ever could.

B. Bankruptcy Relief is Unequivocally Not Available for Debts Incurred by Fraud or Collusion under Section 523(a)(2)(A) and Bartenwerfer v. Buckley, 598 U.S. 69 (2023).

“Collusion” is both defined as and occurs “when two or more parties secretly agree to **defraud** a third-party of their rights or accomplish an illegal purpose.”

[Legal Encyclopedia, Legal Information Institute, Cornell Law School,

<https://www.law.cornell.edu/wex/collusion>, emphasis added.] **Section 523(a)(2)(A)**

of the Bankruptcy Code states:

A discharge under section 727 . . . of this title does not discharge an individual debtor from any debt . . .

(2) for money, property, services, or an extension, renewal, or refinancing of credit, to the extent obtained by —

(A) false pretenses, a false representation, or actual fraud, other than a statement respecting the debtor’s or an insider’s financial condition.

The quoted statutory prohibition of Chapter 7 discharge for fraudulently~incurred debts is **absolute**. In Bartenwerfer v. Buckley, 598 U.S. 69 (2023), the Supreme Court of the United States unanimously held that **debts incurred by fraud cannot be discharged in bankruptcy**, even if the debtor didn’t personally commit the fraud.

In his **Objection to Motion for Stay Pending Appeal**, the Chapter 7 Trustee argued: “No remedy could possibly be granted by the Bankruptcy Court that would address Appellant’s concerns about the First Amendment or potential abuse of the bankruptcy courts. Therefore, the Appellant has no likelihood of succeeding on the merits of the Motion to **Intervene**.” (S.D.T. Docket 10 at 6) [Emphasis added.]

In support of the **shocking** assertion that a federal court is without means at its disposal to act in protection of the **1st Amendment**, the Chapter 7 Trustee stated: “Even if all of Young’s allegations were true, the Connecticut judgment is unaffected by the proceedings in the Bankruptcy Court, and the non-dischargeability

of that judgment has already been determined by the Bankruptcy Court (while some issues remain outstanding in that adversary proceeding). Adv. Pro. No. 23-03037, Docket No. 76.” (S.D.T. Docket 10 at 6)

The Chapter 7 trustee appears to imply that the instant appeal is **irrelevant**; but the Chapter 7 Trustee’s assertion flies directly in the face of the Bankruptcy Court’s statement at the June 5, 2025, status conference/hearing that: “This case has been pending since 2022. And folks, it just needs to, it needs to end. **Mr. Jones would be entitled to a discharge at some point**, and parties can argue about what’s dischargeable, non-dischargeable.” (Docket 1193 at 42) [Emphasis added.] Under **Section 523(a)(2)(A)** and Bartenwerfer, *supra*, **no relief** may be afforded in bankruptcy based upon or with respect to a collusive/fraudulent judgment. This appeal **is** relevant and highly so.

C. The scope of discretion a bankruptcy court may exercise is limited where the intervention being sought concerns (1) an ultimate issue that can bring about a termination of the bankruptcy case, and/or (2) a matter of public importance.

A bankruptcy court’s discretion is limited when dealing with an **ultimate or dispositive issue**. As a pertinent article from the Civil Resource Manual at **Justice.gov** states:

Appellate courts may hear interlocutory appeals, in their discretion where "exceptional circumstances warrant," when (1) the order appealed from involves a controlling question of law, (2) as to which there is substantial ground for difference of opinion, (3) an immediate appeal from the order

may materially advance the ultimate termination of the litigation. ... [Citations omitted.] ... "To establish that an order contains a controlling question of law, it must be shown that either (1) reversal of the bankruptcy court's order would terminate the action, or (2) determination of the issue on appeal would materially affect the outcome of the litigation." IBI Sec. Serv., 174 B.R. at 670; see In re Capen Wholesale, Inc., 184 B.R. 547 (N.D. Ill. 1995) (controlling issue of law need not be outcome determinative; it need only be an "important one, which could have significantly affected the bankruptcy proceedings below").⁹ [Emphasis as in original.]

Appellant respectfully submits that, in this case, the **Order Denying Motion for Leave to Intervene** (Docket 1129) involves a controlling question of law, and that Appellant's appeal from said order may materially advance or affect the ultimate outcome or **termination** of the instant bankruptcy proceeding, because, under **Section 523(a)(2)(A)** and Bartenwerfer, *supra*, bankruptcy relief is unequivocally **not** available for debts incurred by **fraud** or **collusion**.

As set forth in **Appellant's Rule 8007(b) Motion for Stay**, no other **proceedings** toward relief are or will ever become **relevant**, and Alex Jones is entitled to **no relief** in bankruptcy for or with respect to the \$1.3 Billion Connecticut state court default judgment, due to the parties' **collusion/fraud** in producing said judgment. (Docket 6 at 8 and 12) Under United States v. Throckmorton, 98 U.S. 61, 66 (1878), extrinsic fraud, i.e., fraud not disclosed/litigated in a given matter,

⁹ United States Department of Justice, Civil Resource Manual: 96. The "Who, What, When, Where, Why, And How" of Appeals in Bankruptcy Proceedings – Generally, at p. 7 of 11. Retrievable at: <https://www.justice.gov/archives/jm/civil-resource-manual-96-who-what-when-where-why-and-how-appeals-bankruptcy-proceedings>.

“vitiates **every thing**” [emphasis added], and is a proper equitable basis to set aside judgments.

In Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944), a case involving remarkably similar facts, the Supreme Court revisited Throckmorton, *supra*, and expanded the scope of judgments that may be set aside on equitable grounds due to **fraud on the court**. The Hazel-Atlas Court, finding “a deliberately planned and carefully executed scheme to defraud not only the Patent Office, but the Circuit Court of Appeals”, 322 U.S. at 245, stated:

This matter does not concern only private parties. There are **issues of great moment to the public** in a patent suit. [*Citations omitted.*] Furthermore, tampering with the administration of justice in the manner **indisputably shown** here involves **far more than an injury to a single litigant**. It is a **wrong against the institutions** set up to protect and safeguard the public, institutions in which fraud cannot complacently be tolerated consistently with the good order of society. Surely it cannot be that preservation of the integrity of the judicial process must always wait upon the diligence of litigants. The public welfare demands that the agencies of public justice be not so impotent that they must always be mute and helpless victims of **deception and fraud**.

* * *

Equitable relief against fraudulent judgments is not of statutory creation. It is a judicially devised remedy fashioned to relieve hardships which, from time to time, arise from a hard and fast adherence to another court-made rule, the general rule that judgments should not be disturbed after the term of their entry has expired. **Created to avert the evils of archaic rigidity**, this equitable procedure has always been characterized by **flexibility** which enables it to meet new **situations which demand equitable intervention**, and to accord all the relief necessary **to correct the particular injustices** involved in these situations.

322 U.S. at 246 and 248. [Emphasis added.]

Under Throckmorton and Hazel-Atlas, **the fraud on the courts**, which **originated** in the Connecticut proceedings, and which has **continued** between the same parties in the underlying bankruptcy, **vitiates every thing**, including the results of the “adversary proceeding” between colluding parties, Adv. Pro. No. 23-03037 (Docket 76)¹⁰; and Case No. 22-33553 should be dismissed under **Section 707(b)** as a substantial abuse of the bankruptcy process.

Appellant respectfully submits that, under Hazel-Atlas, **28 U.S.C. § 158(d)(2)(B)(i)**, the fourth element of In re First South Savings Association, *supra*, and the reasoning quoted and emphasized above in Peachtree, *supra*, the **scope of discretion** a bankruptcy court may exercise is **limited** where the intervention (and stay of proceedings) being sought concerns a matter of **public importance**.

3. Appellant’s intervention and the evidence of collusion/fraud Appellant seeks to introduce concern matters of public importance.

The Order denying intervention herein appealed (Docket 1129) involves matters of **public importance** because any validation of the fraudulent \$1.3 Billion Connecticut state court default judgment against Alex Jones, by provision of bankruptcy relief respecting same, will further damage the **1st Amendment** and will further undermine the **federal judicial system**.

¹⁰ The results of the collusive Adv. Pro. No. 23-03037 (Docket 76) should be set aside pursuant to **Fed. R. Civ. P. 60(d)(3)** as a **fraud on the court**.

A. The viability of the 1st Amendment

The “**Alex Jones Sandy Hook Case**” (as the consolidated Connecticut defamation actions are known), with its headline~grabbing **\$1.43 Billion** (now \$1.3 Billion) **adverse default judgment** against a well~known public figure/purported **journalist**, has developed to become one of the most infamous legal proceedings in the history of our republic, receiving massive media attention both domestically and abroad. The **chilling effects** on free speech and freedom of the press of a **\$1.3 Billion adverse default judgment** against an alleged **journalist** are difficult to calculate and impossible to avoid.

According to Google AI, which is aptly referenced for collective public thought/sentiment on matters of public note: “Leading publications have discussed the potential chilling effect of the \$1.4 billion judgment against Alex Jones on freedom of speech and the press. The concern is that this large financial burden could discourage individuals and media outlets from expressing views that might be perceived as controversial or harmful, even if they are protected by the First Amendment.” The **public importance** of the \$1.3 Billion Connecticut state court default judgment, and of an order (i.e., Docket 1129) keeping the **true nature** of said default judgment from being or becoming publicly known and appreciated, is also and well demonstrated by the fact that **even before** the unprecedented Connecticut verdict and default judgment for \$1.43 Billion was returned and entered

in the fall of 2022, William & Mary Law School convened a panel of experts and published an article in the summer of 2022 titled, “**What Does the Alex Jones Case Mean for the First Amendment and Disinformation? Leading Scholars, Lawyers Provide Analysis**”.¹¹

At Page 12 of the June 5, 2025, status conference/hearing transcript (Docket 1193), the Bankruptcy Court states:

And for whether the granting of the stay would serve the public interest. I don't, have no -- nothing showing the public interest, and I've read all the papers.

The denial of reality does not negate its existence. The Bankruptcy Court **abused its discretion** in ruling there's “nothing showing the public interest”, resting its decision on “findings of fact that are clearly erroneous.” *Sylvester, supra*, at 4.

B. The integrity of federal judicial process

The **game** Alex Jones and the Connecticut Sandy Hook Families played in the Connecticut U.S. District Court, merely making a **show of a fight**, was a cynical, sophomoric, and sinister **fraud on the court and abuse of federal judicial process**. This **abuse of federal judicial process**, by colluding parties, continues unabated in Alex Jones' Chapter 7 bankruptcy. It is ironic, indeed, that the Bankruptcy Court is

¹¹ Freeman, George; Lidsky, Lyrissa Barnett; Oberlander, Lynn; and Zick, Timothy, “What Does the Alex Jones Case Mean for the First Amendment and Disinformation? Leading Scholars, Lawyers Provide Analysis” (August 8, 2022). Popular Media. 591. https://scholarship.law.wm.edu/popular_media/591

concerned with “undue delay” in a proceeding that has been pending, **needlessly** and **unjustly**, since December 2022 (Docket 1129 at 2), particularly because the intervention the undersigned seeks, in order to present plain and operative evidence of **fraud/collusion**, can promptly bring a **termination** to what is most assuredly **not** a real case or controversy between Alex Jones and his purported creditors.

Appellant respectfully submits that, under Hazel-Atlas, *supra*, protection of the **integrity of federal judicial process** is a legitimate interest/concern in **any** federal case. In ruling “Young has no identifiable economic interest in this case” (Docket 1129 at 2) and, thus, has **no basis** to intervene, the Bankruptcy Court took an **overly~narrow** view of what qualifies as an “economic or similar interest” for purposes of intervention under **Fed. R. Bankr. P. 2018(a)**, thus, committing **error**.

4. Appellant qualifies as an “interested entity” under Fed. R. Bankr. P. 2018(a) as Appellant has “an economic or similar interest” in this matter.

As set forth in the **Motion for Leave to Intervene**, the undersigned is **duty~bound**, as a state and federally~licensed attorney, to protect and defend the interests of **public importance** identified herein, namely, the **viability of the 1st Amendment** and the **integrity of federal judicial process**. (Docket 1120 at 6 and 11) Appellant’s **duty** to pursue this intervention and appeal would not have arisen but for the **collusive** and **treasonous** conduct of Alex Jones and the Connecticut Sandy Hook Families. Similarly, Appellant’s **duty** to seek intervention would also **not** have arisen **but for** the Chapter 7 Trustee’s **unfounded** and **unexplained**

failure/refusal to fulfill his **statutory duties** to investigate and report a credible allegation of prepetition **collusion** giving rise to no less than **\$965 Million** worth of **fraudulent** judgment debt(s) that Alex Jones **knowingly** listed, in **bad faith** (at the very least), in his **Voluntary Petition** for bankruptcy. (Docket 1 at 11~18)

In the **Motion for Leave to Intervene**, the undersigned recounts/documents how the Chapter 7 Trustee failed/refused to respond, in substantive manner, to the emails, written explanations, evidentiary submissions, and Legal Notices & Demands the undersigned sent to the Chapter 7 Trustee **before seeking intervention** to present evidence of a **fraudulent** judgment. (Docket 1120 at 6~9 and 1120-3 through 1120-16.)

The “**Partners in Combatting Crime**” article cited/quoted in the undersigned’s March 4, 2025, Email to Trustee Murray & Counsel (Docket 1120-14) and at Pages 4~5 of the **Motion for Leave to Intervene**, states: “Both the USTP and chapter 7 trustees have a statutory responsibility to identify and refer potential fraud or criminal activity in a case.” [Citing **28 U.S.C. § 586(a)(3)(F)** and **18 U.S.C. § 3057(a)**.]¹² The Chapter 7 Trustee cites **no legal authority** for his repeated and

¹² “**Partners in Combatting Crime: The Vital Roles of Chapter 7 Trustees and The United States Trustee Program**”. U.S. Department of Justice, Archives, U.S. Trustee Program. Attached as **Exhibit** (Docket 11-1) to Appellant’s **Reply in Support of Rule 8007(b) Motion for Stay of Proceedings Pending Appeal** and retrievable at: <https://www.justice.gov/archives/ust/blog/partners-combatting-crime-vital-roles-chapter-7-trustees-and-united-states-trustee-program>.

absurd assertion that he's to be **unconcerned** with **prepetition conduct** resulting in **\$965 Million worth of fraudulent judgment debts** that a Debtor knowingly lists on his **Voluntary Petition** for bankruptcy. (S.D.T. Docket 2 at 4¹³, and 10 at 5)

The Chapter 7 Trustee failed/refused, **without explanation** or **justification**, to fulfill his statutory duties to investigate and report a credible allegation of **fraud**. The undersigned's intervention to present evidence of fraudulent judgment was and is both **foreseeable** and **reasonable** in light of, and it was the **direct** and **proximate result** of, the Chapter 7 Trustee's **recalcitrance** and **breach of duties** as described.

In tort and indemnity law, a tortfeasor whose wrongful conduct triggers a **legal duty** of a third party to **protect others** from/against harm resulting from such wrongful conduct is **estopped** to deny expenses incurred by the third party in fulfilling his **legal duty** where the risk of harm to others was **foreseeable** and the third party's actions in fulfilling his **legal duty** were **reasonable**.

The undersigned has suffered **significant economic loss** in pursuing this case without pay. (S.D.T. Docket 6 at 13) The undersigned has also incurred and paid in excess of **\$600** in **filing** and **transcript fees** in pursuing this intervention/appeal. The undersigned's **duty** to pursue this action would not have arisen **but for** both (1) the

¹³ In his **Statement of Trustee in Connection with Appeal**, the Chapter 7 Trustee states: "the Motion to Intervene concerns pre-bankruptcy conduct of the Debtor and the Connecticut Plaintiffs but not the Trustee or his duties to administer the bankruptcy estate of the Debtor." (S.D.T. Docket 2 at 4)

collusive and treasonous conduct of Alex Jones and the Connecticut Sandy Hook Families, **and** (2) the Chapter 7 Trustee’s wrongful failure/refusal to fulfill his statutory duties to investigate and report a credible allegation of **fraud**. The colluding parties and the Chapter 7 Trustee should **not** be heard to complain that the undersigned is not a **proper party in interest**.

Appellant has a **practical stake** in the underlying bankruptcy proceedings, as described in Peachtree, *supra*, in protecting legitimate interests of **public importance** which, as set forth in **Argument 5**. below, are **not** being adequately represented by the existing parties. Accordingly, Appellant has an “economic or similar interest” in this matter, allowing for intervention pursuant to **Fed. R. Bankr. P. 2018(a)**, and the Bankruptcy Court **abused its discretion** in limiting the grounds for intervention to **pecuniary economic interest** alone. With a finding of sufficient standing, which is justified, and based upon the unequivocal nature of the evidence of **fraud/collusion** to be presented, Appellant stands a **strong chance/likelihood of success on the merits** in this appeal.

5. The interests of public importance Appellant seeks to protect are not being adequately represented by the existing parties.

The Bankruptcy Court **summarily** ruled that: “The concerns raised by Young are adequately represented by existing parties”. (Docket 1129 at 2) **No** reasoning. **No** explanation. **No** consideration of the four (4) main issues identified in Appellant’s **Summary of Argument** above that distinguish and weigh in favor of

granting Appellant's requested intervention. This is precisely the type of decision which prompted the Roberson Court to observe, in pertinent part: "An abuse of discretion can occur if (1) the court fails to 'actually . . . exercise discretion, deciding instead as if by general rule, or even arbitrarily'; [or] (2) the court fails to take relevant facts 'constraining its exercise' of discretion into account". Roberson, *supra*, 188 B.R. at 365.

How can colluding parties **adequately represent** the interests of third parties they are colluding to harm? The legitimate and substantial interests of **public importance** for which Appellant advocates are most assuredly **not** being **adequately represented** by the Chapter 7 Trustee, or by any of the creditors or other parties, all of whom, to date, have either failed or refused (even in spite of statutorily and ethically imposed duties) to bring the **clear evidence** of egregious and obvious **fraud** to the attention of the Bankruptcy Court.

Appellant seeks to protect **public interests** of **public importance**, namely, **(1) the integrity of federal judicial process** (a legitimate interest/concern per Hazel-Atlas, *supra*), and **(2) the viability of the 1st Amendment**. These significant interests are at **jeopardy** if Appellant's intervention is denied, if a prompt stay is **not** imposed, and if further proceedings toward relief are permitted in Alex Jones' **fraudulent** Chapter 7 bankruptcy.

In his **Statement in Connection with Appeal**, the Chapter 7 Trustee states, in pertinent part: “the Motion to Intervene concerns pre-bankruptcy conduct of the Debtor and the Connecticut Plaintiffs but not the Trustee or his duties to administer the bankruptcy estate of the Debtor.” (S.D.T. Docket 2 at 4) Probable cause exists to believe that Alex Jones **knowingly** listed **\$965 Million** worth of **fraudulent** Connecticut Sandy Hook “Litigation Claim” debts on his December 2, 2022, **Official Form 104** to his **Voluntary Petition for Individuals Filing for Bankruptcy**. (Docket 1 at 11~18) How does this **not** constitute conduct within the context of the bankruptcy; how does this **not** potentially implicate criminal violations of **18 U.S.C. §§ 152 and 157**; and how is it that the Chapter 7 Trustee is **not** fulfilling his “statutory responsibility to identify and refer potential fraud or criminal activity in a case”?¹⁴

The Chapter 7 Trustee argued a stay will **not** serve the **public interest** because: “The Bankruptcy Court and the U.S. Trustee are fully capable of addressing the claims asserted by Young regarding the integrity of the bankruptcy process.” (S.D.T. Docket 10 at 7)

Appellant **agrees** that the Chapter 7 Trustee and Bankruptcy Court are **fully capable** of addressing fraud or abuse in the bankruptcy system. The problem, as emphasized, is that, despite being **fully capable** of doing so, the Chapter 7 Trustee

¹⁴ “**Partners in Combatting Crime**”, *supra*.

and Bankruptcy Court **nevertheless failed**, in this case, to properly investigate and **address** the credible allegation of **fraud** presented. That's why the undersigned filed both a **Motion for Leave to Intervene to Present Evidence of Fraudulent Judgment**, and this appeal, to protect not only the **integrity of federal judicial process**, but also the **viability of the 1st Amendment**. The Bankruptcy Court abused its discretion in ruling “[t]he concerns raised by Young are adequately represented by existing parties”, resting its decision on “findings of fact that are clearly erroneous.” *Sylvester, supra*, at 4.

6. **Appellant’s intervention and a stay of all proceedings in Alex Jones’ Chapter 7 bankruptcy pending appeal will not cause undue delay or unfair prejudice to the other parties.**

A. **Appellant’s intervention and a stay of all proceedings will serve the interest of judicial economy.**

On appeal, Appellant seeks “a **legal finding** that Alex Jones’ obviously and deliberately~ineffective July 2018 Notices of Removal in the Lafferty and Sherlach cases constitute **operative evidence** of (a) **collusion** or **self~sabotage by the defense** and, thus, of (b) the **fraudulent nature** of the \$1.3 Billion Connecticut state court judgment giving rise to the instant Chapter 7 bankruptcy, **as a matter of law**, because reasonable minds cannot reasonably differ in this regard”. (Docket 1135-2 at 6~7)

If the requested **legal finding** is issued on appeal, then **no other proceedings** in Case No. 22-33553 toward relief are or will **ever** become relevant because, under

Section 523(a)(2)(A) of the Bankruptcy Code and Bartenwerfer, *supra*, **no relief** may be afforded in bankruptcy based upon or with respect to a collusive/fraudulent judgment. Further, as set forth above under **Argument No. 2**, the egregious fraud described herein warrants a dismissal of Case No. 22-33553, under **Section 707(b)**, as a substantial abuse of the bankruptcy process. Accordingly, Appellant’s intervention and a stay of **all proceedings** in Case No. 22-33553, pending resolution of this appeal, will serve the interest of judicial economy and are, therefore, appropriate under the **Federal Rules of Bankruptcy Procedure**.

B. Appellant’s intervention and a stay of all proceedings will not cause undue delay.

The Bankruptcy Court summarily ruled that “permitting intervention risks causing undue delay in a case that has been pending since December 2022.” (Docket 1129 at 2) **Merriam-Webster** defines “undue” as: “exceeding or violating propriety or fitness: excessive”.¹⁵ It is ironic, indeed, that the Bankruptcy Court is concerned with “undue delay” in a proceeding that has been pending, **needlessly and unjustly**, since December 2022, particularly because the intervention the undersigned seeks, in order to present plain and operative evidence of **fraud/collusion**, can promptly bring a **termination** to what is most assuredly **not** a real case or controversy.

¹⁵ Retrieved from: <https://www.merriam-webster.com/dictionary/undue>

Given that, under **Section 523(a)(2)(A)** of the Bankruptcy Code and Bartenwerfer, *supra*, **no relief** may be afforded in bankruptcy respecting a **collusive/fraudulent** judgment, there is a strong likelihood that **all other proceedings** will be rendered **moot** if the plain and operative evidence of fraud/collusion identified by Appellant is reviewed and given **due consideration** on appeal. Accordingly, any **delay** caused by the requested intervention and stay will **not** be “**undue**”.

C. Appellant’s intervention and a stay will not cause unfair prejudice.

The low risk of any **unfair** prejudice being caused to any party, by further delay in a bankruptcy proceeding that has already been pending since December 2022, **must be compared with**, and such risk is most assuredly outweighed by, the **public importance** of ensuring **(1)** that justice is properly served in this **high-profile** and **constitutionally-significant** case, and **(2)** that further damage is **not** done to the **federal judicial system** and the **1st Amendment** by and through the improper provision of bankruptcy relief for or with respect to a **collusive/fraudulent \$1.3 Billion free-speech-chilling default judgment**.

As set forth in Appellant’s **Motion for Leave to Intervene**, the Debtor and all of the creditors knew or, through the exercise of due diligence (i.e., review of the Lafferty U.S. District Court Remand File, Docket 1120-1), should have known, of the **blatantly collusive/fraudulent** nature of the \$1.43 Billion (reduced to \$1.3

Billion) Connecticut state court default judgment against Alex Jones. (Docket 1120 at 11)

As noted in the **Statement of the Case** above, and specifically regarding the issue of **unfair prejudice**, the Bankruptcy Court reasoned as follows:

Whether the granting of a stay would substantially harm the other parties. The answer is no. I think quite frankly it would be harming the trustee's ability to function throughout this case and quite frankly, Mr. Jones' ability to proceed as a Chapter 7 debtor.

(Docket 1193 at 12) The Bankruptcy Court's assessment of the interests at play, and herein competing, strains credulity. The Bankruptcy Court professes concern for the interests of a demonstrably~culpable colluding debtor over the interests of the public in ensuring the integrity of the **federal judicial system**, and the viability of the **1st Amendment**.

Alex Jones **colluded** to produce the **free~speech~chilling** \$1.3 Billion Connecticut state court default judgment. He is entitled to **no relief** in bankruptcy, as “[f]raud vitiates **every thing**.” Throckmorton, *supra*, 98 U.S. at 66. [Emphasis added.]

The Chapter 7 Trustee states the Texas Sandy Hook Plaintiffs “with claims and judgments against the Debtor ... not affected by Young’s allegations” ... “will be hindered and delayed by the Appellant’s requested stay of the bankruptcy proceeding.” (S.D.T. Docket 10 at 6) Appellant does **not** concede the validity of the

Texas Sandy Hook judgments against Alex Jones which also counterintuitively survived the controlling precedent of N.Y. Times Co. v. Sullivan, *supra*. Given the revelation on the Connecticut Sandy Hook judgment, shouldn't the Chapter 7 Trustee be checking the Texas Sandy Hook judgments for obvious and operative evidence of **collusion/fraud**, such as that which the undersigned promptly found when reviewing the Lafferty Connecticut trial court docket?

Accordingly, parties that knew/should have known of the fraudulent nature of the \$1.43 Billion (now \$1.3 Billion) Connecticut state court default judgment will **not** suffer **unfair** prejudice as a result of Appellant's intervention or a stay of **all proceedings** in Alex Jones' Chapter 7 bankruptcy case, pending resolution of Appellant's appeal, which might bring the **true nature** of the Connecticut default judgment at issue to light and materially advance the ultimate outcome or **termination** of the instant Chapter 7 case.

7. **The denial of Appellant's intervention will adversely affect the interests of public importance which Appellant seeks to protect.**

The interests being advanced in this appeal, namely, (a) the integrity of **federal judicial process** and (b) the viability of the **1st Amendment**, are at jeopardy of suffering **irreparable harm** if, during the pendency of the instant appeal, **any** form of bankruptcy relief is afforded in respect of a **collusive/fraudulent** \$1.3 Billion **free~speech~chilling** default judgment.

At Pages 55~57 and 62 of the June 5, 2025, status conference/hearing transcript (Docket 1193), Alex Jones' counsel states Jones will be appealing the Connecticut judgment to the U.S. Supreme Court and asserting constitutional protections, even though Jones failed to assert same on appeal. But constitutional protections are **not** available to Jones because he acted with **actual malice**, admitting in **his own appeal brief**: "Mr. Jones lied about Sandy Hook. He lied to attract attention. That attention drove people to his product pages and sales of those products, presumably, increased." **Brief of Defendants Alex Jones and Free Speech Systems, LLC** in Lafferty, et al. v. Alex Emric Jones, et al., Connecticut Appellate Court Case No. AC 46131 (filed June 2, 2023), at 47 (highlighted copy without Appendix filed as **Exhibit**, S.D.T. Docket 6-3).

The issue of fraud or collusion was never raised or litigated in the consolidated Connecticut defamation cases for the simple reason that the parties to said cases (and this Chapter 7 bankruptcy proceeding) were and are acting in collusion. If the instant appeal is **not** allowed, and the plain and operative evidence of fraud or collusion described herein (see Docket 1120-1) is **not** presented and given **due consideration**, then the damage done to the **1st Amendment** by the collusive \$1.3 Billion Connecticut default judgment might not just continue to be difficult to calculate; the damage done might become **incalculable**.

The **News-Times** titled its June 5, 2025, article reporting on the status conference/hearing of even date, “**On Day 916 of Alex Jones’ Sandy Hook bankruptcy, there's still no end in sight**”.¹⁶ The **News-Times** got it wrong. There is an end in sight. It’s to be found in the Lafferty U.S. District Court Remand File. (Docket 1120-1) It’s called the **truth** and, if simply brought to light and recognized, it will put an end to the Alex Jones/Sandy Hook **abuse of federal judicial process** and **treasonous fraud** being perpetrated against the courts and the American people.

The requested intervention and stay of **all proceedings** pending appeal will advance the interests of justice and will **protect** the very interests of **public importance** the colluding parties to the \$1.3 Billion Connecticut state court default judgment have been **targeting** all along.

8. The Bankruptcy Court lacked subject matter jurisdiction as of June 5, 2025, to rule on Appellant’s Request for Certification.

Fed. R. Bankr. P. 8006(b) states as follows:

The certification must be filed with the clerk of the court where the matter is pending. For purposes of this rule, a matter remains pending in the bankruptcy court for 30 days after the first notice of appeal concerning that matter becomes effective under Rule 8002. After that time, the matter is pending in the district court or BAP.

¹⁶ Filed as **Exhibit** (S.D.T. Docket 6-4).

In SIPC v. Bernard L. Madoff Investment Securities LLC, Adv. P. No. 08-01789 (SMB) (Bankr. S.D.N.Y. July 19, 2017)¹⁷, the Bankruptcy Court for the Southern District of New York withdrew its prior decision denying a request for certification under **Fed. R. Bankr. P. 8006** because “under the plain language of Rule 8006(b), this Court lost jurisdiction to decide the Certification Motion on April 14, 2017 (the 31st day after the Trustee’s Notice of Appeal). Consequently, the Opinion Denying Certification was issued in error, and is withdrawn.” Madoff, at 5~6.

The Madoff decision is **on~point** with the issue presented herein, and it merits quoting at length from its discussion regarding a bankruptcy court’s loss of subject matter jurisdiction over a request for certification of a direct appeal following expiration of the 30 day period prescribed by **Fed. R. Bankr. P. 8006(b)**:

Subsection (d) of the same Rule provides, “Only the court where the matter is pending, as provided in subdivision (b), may certify a direct review on request of parties or on its own motion.” FED. R. BANKR. P. 8006(d). Thus, if the motion for certification is filed within thirty days of the notice of appeal, it must be filed with the clerk of the Bankruptcy Court, and the Bankruptcy Court retains jurisdiction for the same thirty days to decide the request for certification. The Rule is designed to give “the bankruptcy judge, who will be familiar with the matter being appealed, an opportunity to decide whether certification for direct review is appropriate.” FED. R. BANKR. P. 8006 advisory committee notes (2014). After thirty days from the filing of the

¹⁷ The Madoff decision is viewable at: https://www.govinfo.gov/content/pkg/USCOURTS-nysb-1_08-ap-01789/pdf/USCOURTS-nysb-1_08-ap-01789-31.pdf

notice of appeal, the Bankruptcy Court loses jurisdiction, and the matter is deemed pending in the District Court. ... [*case citations omitted*]; see also 10 ALAN N. RESNICK & HENRY J. SOMMER, COLLIER ON BANKRUPTCY ¶ 8006.07 at 8006-9 (16th ed. 2017) (“The sole remaining unresolved problem will occur when a request is made to the bankruptcy court before the 30 day period has run but that court has not ruled before the 30 days has expired. At that point, the matter is no longer pending in the bankruptcy court and it no longer has the power to make the certification.”).

Madoff, *supra*, at 4~5. The Bankruptcy Court for the Southern District of New York summarized its conclusions regarding subject matter jurisdiction under **Fed. R. Bankr. P. 8006(b)**, stating:

Rule 8006(b) states that the matter remains pending in the Bankruptcy Court for thirty days after the filing of the notice of appeal, and thereafter, is pending in the District Court. Rule 8006(b) does not say that the matter remains pending in the Bankruptcy Court after the thirty day period for certain purposes, such as to deny a certification motion. While Rule 8006(d) states that only the court where the matter is pending can certify the appeal, this does not imply that the thirty-day limit does not apply to a denial of certification.

Madoff, *supra*, at 6.

Appellant’s **Notice of Appeal** became effective under **Fed. R. Bankr. P. 8002** on May 4, 2025. (See Docket 1138.) Under **Fed. R. Bankr. P. 8006(b)**, the Bankruptcy Court’s 30~day retention of subject matter jurisdiction to rule upon **Appellant’s Request for Certification** (Docket 1144) expired on June 3, 2025. Accordingly, the Bankruptcy Court did **not** possess subject matter jurisdiction on June 5, 2025, to issue the **Order Denying Request for Certification of Direct Appeal** (Docket 1164).

9. **The Order Denying Request for Certification of Direct Appeal (Docket 1164) is void, as a matter of law, and it should be vacated.**

Fed. R. Civ. P. 60(b), regarding **Grounds for Relief from a Final Judgment, Order, or Proceeding** states, in pertinent part, that: “On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons: ... (4) the judgment is void”.

An order or judgment is **void** if the court that renders it lacks jurisdiction over the subject matter. Williams v. New Orleans Public Service, Inc., 728 F.2d 730 , 735 (5th Cir. 1984). Further, “subject-matter jurisdiction, because it involves **a court’s power to hear a case**, can never be forfeited or waived.” United States v. Cotton, 535 U.S. 625, 630 (2002). [Emphasis added.]

As the Bankruptcy Court lacked subject matter jurisdiction, as of June 5, 2025, to rule on **Appellant’s Request for Certification** (Docket 1144) (see **Argument No. 8** above), the Bankruptcy Court’s June 5, 2025, **Order Denying Request for Certification of Direct Appeal** (Docket 1164) is **void** as a matter of law, and it should be vacated in accordance with and pursuant to **Fed. R. Civ. P. 60(b)(4)**.

10. **The Bankruptcy Court both applied an improper legal standard to Appellant’s Request for Certification, and it rested its decision on findings of fact that are clearly erroneous.**

Again, Appellant respectfully submits that, as of June 5, 2025, the Bankruptcy Court lacked subject matter jurisdiction to rule on **Appellant’s Request for Certification** (Docket 1144) and that **Appellant's Rule 60(b)(4) Motion to Vacate**

Order Denying Request for Certification of Direct Appeal, Docket 1164 (S.D.T. Docket 5) is therefore **well-founded**, and it should be **granted**.

However, if the District Court considers any of the Bankruptcy Court's rationale for denying the **Request for Certification**, then Appellant would note (1) that the **Order Denying Motion for Leave to Intervene** (Docket 1129) involves a matter of **public importance** and that certification for a direct and immediate appeal to the Fifth Circuit Court of Appeals is, therefore, appropriate under **28 U.S.C. § 158(d)(2)(A)(i)**, and (2) that an immediate appeal from the April 22, 2025, **Order denying intervention** (Docket 1129) may materially advance the progress or affect the ultimate outcome or **termination** of the instant Chapter 7 case and that certification is, therefore, appropriate under **28 U.S.C. § 158(d)(2)(A)(iii)**. Further, Appellant respectfully submits that the standards for permissive intervention under **Fed. R. Bankr. P. 2018(a)** are **neither** directly **nor** impliedly germane to the standards for certification under **28 U.S.C. § 158(d)(2)(A)(i, ii, and iii)**, which deal entirely with the nature of the matter at issue, **not** the status of the party seeking certification.

11. The District Court erred in denying Appellant's Rule 8007(b) Motion for Stay of Proceedings Pending Appeal. (S.D.T. Docket 6 and 12).

The District Court's July 23, 2025, **Order** denying Appellant's **Rule 8007(b) Motion for Stay** (S.D.T. Docket 12) is **virtually indistinguishable** from the Bankruptcy Court's April 22, 2025, **Order Denying Motion for Leave to**

Intervene (Docket 1129), containing summary conclusions and taking **no** consideration of the four (4) main issues identified in Appellant's **Summary of Argument** above that **distinguish** and **weigh in favor** of granting Appellant's requested intervention **and** stay of proceedings. Accordingly, under Roberson, *supra*, 188 B.R. at 365, the District Court **abused its discretion** in denying Appellant's requested stay.

CONCLUSION AND REQUEST FOR RELIEF

WHEREFORE, for the Foregoing Reasons, Interested Party~Appellant respectfully submits that the instant appeal is **well~taken**, it should be **permitted**, and the relief herein requested should be **granted**.

On appeal, Appellant respectfully requests the following forms of relief: **(1) a reversal of the Order Denying Motion for Leave to Intervene (Docket 1129); (2) a reversal of the Order Denying Request for Certification of Direct Appeal (Docket 1164); (3) a reversal of the Order denying Appellant's Rule 8007(b) Motion for Stay; (4) the issuance of Orders granting Appellant's intervention, request for certification, and motion for stay of proceedings pending appeal; (5) a legal finding that Alex Jones' obviously and deliberately~ineffective July 2018 Notices of Removal in the Lafferty and Sherlach cases constitute operative evidence of (a) collusion or self~sabotage by the defense and, thus, of (b) the fraudulent nature of the \$1.3 Billion Connecticut state court default judgment**

giving rise to the instant Chapter 7 bankruptcy, **as a matter of law**, because reasonable minds cannot reasonably differ in this regard; and **(6) a remand** of this matter to the Bankruptcy Court with appropriate instructions based upon and affirming the **reversal of Orders, the issuance of Orders, and the legal finding** herein requested.

Respectfully submitted,

Date: **08/07/25**

/s/ Robert Wyn Young
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FED. R. BANKR. P. 8015(h) CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing **Appellant's Brief** complies with the 13,000-word limitation under **Fed. R. Bankr. P. 8015(a)(7)(B)(i)**, excluding parts exempted under **Fed. R. Bankr. P. 8015(g)** (1,647 words), and that such certification is based on a **12,999-word** calculation of said **Appellant's Brief** by my word processing program.

/s/ Robert Wyn Young
Robert Wyn Young

CERTIFICATE OF SERVICE

I hereby certify that on **August 7, 2025**, I caused a copy of the foregoing **Appellant's Brief** to be served on all subscribed parties by the Electronic Case Filing System of the United States District Court for the Southern District of Texas.

/s/ Robert Wyn Young _____

Robert Wyn Young