

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

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In Re:) **Civil Action No. 4:25-cv-02057 (LHR)**
)
ROBERT WYN YOUNG) **Judge Lee H. Rosenthal**
)
Appellant.)

-----)
In Re:) **Chapter 7**
)
ALEXANDER E. JONES) **Bankruptcy Case No. 22-33553 (CML)**
)
Debtor.)

APPELLANT’S REPLY IN SUPPORT OF RULE 8007(b) MOTION
FOR STAY OF PROCEEDINGS PENDING APPEAL

The undersigned respectfully submits that **Appellant’s Rule 8007(b) Motion for Stay** (S.D.T. Docket 6) is **well-founded**, and it should be **granted**. The grounds for Appellant’s **Rule 8007(b) Motion for Stay** are further set forth below.

RELEVANT PROCEDURAL HISTORY

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 22, 2025, the Bankruptcy Court issued an **Order Denying Motion for Leave to Intervene** for lack of standing. (Docket 1129 at 2) On May 4, 2025, the undersigned filed a timely **Notice of Appeal**. (Docket 1135 and 1138) On May 28, 2025, the Chapter 7 Trustee filed a **Statement of Trustee in Connection with Appeal** (S.D.T. Docket 2).

On June 22, 2025, Appellant filed a **Rule 8007(b) Motion for Stay**. 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, Alexander E. Jones (“Jones” or “Alex Jones”), nor any of the creditors filed any opposition to **Appellant’s Rule 8007(b) Motion for Stay**.

THE CHAPTER 7 TRUSTEE IS ESTOPPED FROM OBJECTING TO APPELLANT’S INTERVENTION, APPEAL, AND RULE 8007(B) MOTION FOR STAY

The Chapter 7 Trustee did **not** oppose the undersigned’s **Motion for Leave to Intervene**. On May 28, 2025, and **10 days out-of-rule** under **Fed. R. Bankr. P. 8004(b)(2)**, the Chapter 7 Trustee filed a **Statement** (S.D.T. Docket 2), claiming that he is **not a proper party** to this appeal, *Id.* at 2 and 5, but not otherwise directly opposing the appeal.

The Chapter 7 Trustee now appears to **go to bat** for colluding parties by filing a response (S.D.T. Docket 10), **11 days out-of-rule** under **Fed. R. Bankr. P. 8013(a)(3)(A)**, that **(1)** objects to the undersigned’s intervention, appeal, and motion for stay of proceedings, and **(2)** seeks to suppress review/consideration of operative court file evidence demonstrating that the \$1.3 Billion free-speech-chilling Connecticut state court default judgment, entered against Alex Jones and giving rise to his Chapter 7 bankruptcy, was produced by **collusion** or **fraud**. **Fraud** that was and is extrinsic, but also directly relevant, to both **(a)** the Connecticut state court proceedings producing the \$1.3 Billion default judgment and **(b) all proceedings** in the underlying bankruptcy filed by Alex Jones. **Fraud** that, under United States v. Throckmorton, 98 U.S. 61 (1878), and its progeny, vitiates **every thing**. **Fraud**, the evidence for which, if simply reviewed/considered on appeal, will **likely** and **justly** bring a **termination** to Alex Jones’ pending bankruptcy [i.e., **Section 707(b)** dismissal for substantial abuse of bankruptcy process].

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." The Chapter 7 Trustee cites **no legal authority** for his repeated and 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 Nos. 2 at 4¹, 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

¹ In his **Statement**, 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)

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 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 Chapter 7 Trustee should **not** be heard to complain that the undersigned is not a **proper party in interest**.

The Chapter 7 Trustee, **(1)** by failing/refusing to respond in any substantive way to the undersigned's submissions regarding the allegation of **fraud**, **(2)** by failing/refusing to fulfill his statutory duties of investigating and reporting the credible allegation of **fraud** presented, and **(3)** by failing/refusing to abide by filing requirements/deadlines imposed by the **Federal Rules of Bankruptcy Procedure** regarding this intervention and appeal, is **estopped from objecting** to the undersigned's **reasonable** and **foreseeable** intervention, appeal, and **Rule 8007(b) Motion for Stay**.

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**ALEX JONES' CHAPTER 7 BANKRUPTCY CASE SHOULD BE STAYED
PENDING APPEAL TO PRESENT EVIDENCE OF FRAUDULENT JUDGMENT**

1. Appellant has Shown Likelihood of Success on the Merits

The first factor to be weighed in deciding whether to grant a stay pending appeal is whether the movant has made a showing of likelihood of success **on the merits**. As emphasized, the key phrase/proper focus is “**on the merits**”. As stated in Appellant’s **Rule 8007(b) Motion for Stay**, 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”. (S.D.T. Docket 6 at 8)

The Chapter 7 Trustee asserts: “**Young has no likelihood of success on the merits.**” (S.D.T. Docket 10 at 3) In support of said assertion, the Chapter 7 Trustee states: “Young’s Motion to Intervene did not directly concern or address the entirety of the Debtor’s bankruptcy case or claims held by others against the Debtor.” The Chapter 7 Trustee is mistaken. The **very first substantive assertion** in the undersigned’s **Motion for Leave to Intervene to Present Evidence of Fraudulent Judgment** was/is that same “Relates to **Case No. 22-33553 (CML) Generally**”. (Docket 1120 at 1)

The Chapter 7 Trustee further argues: “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)

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 states: “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)

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 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, “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**, which **originated** in the Connecticut proceedings, and which **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); and Case No. 22-33553 should be dismissed under **Section 707(b)** as a substantial abuse of the bankruptcy process.

2. Interests of Public Importance Appellant Represents May Suffer Irreparable Injury if a Stay is Not Granted

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**. As is more fully set forth in **Section 4**. below, these significant interests are at jeopardy if Appellant’s **Rule 8007(b) Motion for Stay** is denied and further proceedings toward relief are permitted in Alex Jones’ **fraudulent** Chapter 7 bankruptcy.

3. A Stay Won’t Unfairly Prejudice Other Parties

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. Why isn’t the Chapter 7 Trustee looking at the docket(s) of the Texas Sandy Hook cases against Alex Jones, which also counterintuitively survived the controlling precedent of N.Y. Times Co. v. Sullivan, 376 U.S. 254 (1964), to check for obvious and operative evidence of **fraud**, such as that which the undersigned promptly found when reviewing the Lafferty Connecticut trial court docket? After all,

according to the “**Partners in Fighting Crime**” article at **Justice.gov** (attached as **Exhibit**), “Trustees are in an excellent position to **ferret out** bankruptcy fraud and abuse.” [Emphasis added.]

The Chapter 7 Trustee asserts: “In essence, the Appellant has asked this Court harm the interests of all other parties in the bankruptcy case to serve the Appellant, who has no stake in the bankruptcy case at all.” (S.D.T. Docket 10 at 8) If Alex Jones or his purported creditors are in danger of suffering **unfair prejudice** or **harm** as a result of a stay, then **(a)** why didn’t Jones or any of his purported creditors oppose the undersigned’s **Rule 8007(b) Motion for Stay** and **(b)** why, although named as **Appellees** (Docket 1135), haven’t Jones and his purported creditors otherwise filed any opposition to the undersigned’s appeal and other motions for relief? Jones and his purported creditors are the ones supposedly in jeopardy of suffering **unfair prejudice** or **harm** if Jones’ case is stayed to allow for appellate review of the Lafferty U.S. District Court Remand File (Docket 1120-1) to look for obvious and operative evidence of **fraud** or **collusion**; yet, Jones and his purported creditors **remain silent**.

4. A Stay Will Serve the Public Interest

The Chapter 7 Trustee argues 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 and Bankruptcy Court have 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 Chapter 7 Trustee states: “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** employed by the Bankruptcy Court at the June 5, 2025, status conference/hearing. (S.D.T. Docket 6 at 15~16) 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.

CONCLUSION

FOR THE FOREGOING REASONS, and all those set forth in the **Rule 8007(b) Motion for Stay**, the undersigned respectfully submits that **Appellant’s Rule 8007(b) Motion for Stay of Proceedings Pending Appeal** is **well~founded**, and it should be **granted**.

Respectfully submitted,

Date: **07/16/25**

/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 Reply in Support of Rule 8007(b) Motion for Stay of Proceedings Pending Appeal** complies with the 2,600~word limitation under **Fed. R. Bankr. P. 8013(f)(3)(C)**, excluding parts exempted under **Fed. R. Bankr. P. 8015(g)** (313 words), and that such certification is based on a **2,598~word** calculation of said **Reply in Support** by my word processing program.

*/s/ Robert Wyn Young*_____

Robert Wyn Young

CERTIFICATE OF SERVICE

I hereby certify that on **July 16, 2025**, I caused a copy of the foregoing **Appellant's Reply in Support of Rule 8007(b) Motion for Stay of Proceedings Pending Appeal** 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