

Mail body: MOTION FOR VOID JUDGEMENT

05 / 21 / 2025

MOTION FOR VOID JUDGEMENT

MONICA SANDY  
9920 Ave K  
Brooklyn, NY 11236  
Ph : 1-917-868-4676

Office of the Clerk  
For the Middle District of Pennsylvania  
United States District Court  
William J. Nealon U.S. Courthouse  
P.O.Box 1148  
235 North Washington Avenue  
Scranton, PA 18501

FILED  
SCRANTON

JUN 05 2025

PER Sl  
DEPUTY CLERK

Re : IN RE : BENITO CIVIL ACTION NO. 3:25-cv-00716

: 3-25-CV-0716

TO WHOM IT MAY CONCERN

Dear Sir / Madam,

Request To Expedite Civil Action No. 3:25-cv-00716

: 3-25-CV-0716

My name is Monica Sandy. I am a citizen of the United States of America and the aunt of Brent Anthony Benito, my deceased brother's son, and the Plaintiff on whose behalf this Habeas Corpus dated 04 /10 / 2025 was filed.

The last four digits of my Social Security Number are : XXXXXXXXXX.

Due to Plaintiff's incarceration and abuse at the hands of Immigration Custom Enforcement workers and their constant efforts to deport him without due process, in addition to their regular and constant switching of Correction Facility holding places that creates mail delivery delays , I Monica Sandy, aunt of Plaintiff Brent Anthony Benito signs this Habeas Corpus on his behalf and "Makes a Plea to Expedite Civil Action No. 3:25-cv-00716" also on his behalf.

In this correspondence I am addressing the relevant questions that pertains to the Habeas Corpus filed on 04 / 10 / 2025 on his behalf and humbly request that all future documents served him, be also copied to me at the above address so as to enable quick efficient responses where necessary.

In answer to enclosed letter dated May 01 2025 the following represents the relief Brent Anthony Benito is seeking and the reasons.

(1) A Motion to Void Judgement, of verdict, handed down by the Judge of the COURT OF COMMON PLEAS Magisterial District Court in 2014.

DOCKET NUMBER: CP-23-CR-0001077-2014

Originating DOCKET NUMBER: MJ-32133-CR-0000483-2013

Initial Issuing Officer: Harry J. Karapalides Jr

Arresting Officer: Blohm, Raymond III

(2) Stay Deportation pending resolution on Motion to Void Judgement.

Reasons for Motion To Void Judgement is :

(i) Plaintiff challenges Court authority to bring a case against him and try it themselves.

(ii) Court hasnt proven "Corpus Delecti". That a crime was committed.

(iii) That under Rule 2002 (a) of Pennsylvania Rules of Civil Procedure Court hasnt shown on whose behalf presentment is being made.

(iv) Plaintiff recently became aware that a bill for \$250,000.00 , plus \$2,032.20 was charged to him by the Judge, acting as a private bill collector. Also the Judge performed a taxable termination on Plaintiff. Under Original Document Rule Plaintiff request Judge be made to produce the charging instrument.

\*(A copy of said bill has been provided together with

Copy of an Internal Revenue Service Reporting. *see EXHIBIT A, B, C, D, E*

(v) Plaintiff require the Judge show proof :

(a) (Bills/Promissory Notes/Charging instruments) were deposited into the Real Estate Investment Trust created and Judge not in violation of 26 usc 856

(b) As Heir, the Court represented by Judge must show the Taxes on said (Promissory Notes) were filed with their accompanying statements, with the District Director.

(c) As Heir, the Court represented by Judge, has not produced a W9, 1099 A and 1099 C relative to the issuance of above Promissory Notes and this case.

Under the Uniform Trust Code 2038, 2041 and 2514 of Title 26 and the Power of Appointment Act of 1951, Plaintiff appoint Judge George A. Pagano as Fiduciary Trustee responsible for producing said documents.

Failure to pay said taxes represents Tax Evasion by Court and Judge under 26 usc section 7201


(vi) Court has not proven Jurisdiction in this case since it's obviously a Tax Case, and not "CRIMINAL " as indicated by issuance of Promissory Note. Described in this case as ("Notice to Appear ") and (Bail type)

\*Copies of letters provided for reference.

(vii) When the "Security Instrument " was issued a Trust was created. Which means there is (a) Security Agreement (b) A Deposit Agreement (c) and an Escrow Agreement, involved. This indicates a "Pooling and Servicing Agreement" exists. Plaintiff request the Judge that represented the Court in this matter, should be made to produce the Pooling and Servicing Agreement and the "Broker" brokering this deal.

(viii) Under title 20 of PA.C.S. plaintiff request Judge show proof he put up a "Bond" guaranteeing payment of the Taxes since he brought a claim against Plaintiff. If Judge don't have a claim, this action is unnecessary. If no Claim was brought by Judge against Plaintiff, then Plaintiff request all charges should be dismissed and Plaintiff released.

(ix) Plaintiff challenges the validity of this debt under 15 usc 1692 (g) of the Fair Debt Collection Practices Act and HJR 192.

(x) Plaintiff challenges Court /Judge authority to terminate his interest in his Green Card A  and claim this action as a taxable termination. Plaintiff request his status be restored.

(xi) In this case ,Plaintiff challenges Subject Matter and Jurisdiction under FRCP 12(b)(1)(6)

(6) Being failure to state a claim upon which relief can be granted.

Plaintiff also Invokes Article 1 section 11 of the Pennsylvania Constitution in his defense.

Based on the above facts and the Securitization of the Receivables and Retail Sales Installment Contract, Plaintiff make "Motion to Void Judgement, restore status and for his release".

P.S. Plaintiff/ Petitioner wish to inform Court that Plaintiff Brent Anthony Benito A  has been moved, from,

Moshannon Valley Processing Center, 555 Geo Drive Phillipsburg, PA 16866

to Pine Prairie Processing Center 1133 Hampton Dupre Road, Pine Prairie, LA 70576.

As of the mailing of this document Petitioner Monica Sandy wishes to inform the Court, Plaintiff Brent Benito was moved from :

Moshannon Valley Processing Center, 555 Geo Drive Phillipsburg, PA 16866

To

Pine Prairie ICE Processing Center, 1133 Hampton Dupre Rd Pine Prairie LA 70576

where he was beaten, sprayed and deported to Trinidad.

Your humble servant,

*Monica Sandy*

*05/27/2025*

MONICA SANDY  
For Brent Anthony Benito



Peter J. Welsh  
Clerk of Court

Office of the Clerk  
for the Middle District of Pennsylvania  
United States District Court  
U.S. Courthouse  
P.O. Box 1148  
235 North Washington Avenue  
Scranton, PA 18501  
(570) 207-5600  
April 23, 2025

Divisional Offices

Williamsport:  
(570) 323-6380  
Harrisburg:  
(717) 221-3920

Brent Anthony Benito, A # [REDACTED]  
Moshannon Valley Processing Center  
**SPECIAL MAIL-OPEN ONLY IN PRESENCE OF INMATE**  
555 Geo Drive  
Phillipsburg, PA 16866

**RE: In Re: Brent Anthony Benito  
Civil Action No. 3:25-CV-0716**

Dear Mr. Benito:

Receipt is acknowledged of the documents noted at the foot of this letter, subject as captioned above.

Please mail all future filings to the Scranton Clerk's Office at

William J. Nealon U.S. Courthouse  
P.O. Box 1148  
235 North Washington Avenue  
Scranton, PA 18501

If you have simultaneously filed the proper application to proceed *in forma pauperis*, the matter has been forwarded to the Court for consideration. If you have not filed the proper application to proceed *in forma pauperis*, an Administrative Order will be issued to you directing you to do so, together with the forms. Upon receipt of the COMPLETED AND SIGNED forms, your case will then be forwarded to the Court for consideration.

**Pro Se Plaintiffs and Petitioners are advised that they have an affirmative obligation to keep the Court informed of his or her current address. If the Plaintiff/Petitioner changes his or her address while the lawsuit is being litigated, the Plaintiff/Petitioner shall immediately inform the Court of the change in writing.**

Sincerely,  
**Peter J. Welsh, Clerk of Court**

By: LP, Pro Se Legal Assistant

☒ [ X ] Petition for Writ of Habeas Corpus  
☒ [ X ] Transfer- Case 2:25-CV-01856 from USDC/  
EDPA to USDC/MDPA as above

☐ [ ] Complaint  
☐ [ ] Other

Enclosed: Notice of Consent

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FROM:

MONICA SAADY  
9920 AVENUE  
BROOKLYN,  
N.Y. 11206

RECEIVED  
SCRANTON

JUN 05 2025

PER *AMC*  
DEPUTY CLERK

TO:

OFFICE OF THE CLERK  
FOR THE MIDDLE DISTRICT  
OF PENNSYLVANIA  
UNITED STATES DISTRICT COURT  
WILLIAM J. NEALON  
U.S. COURTHOUSE  
P.O. BOX 1148  
235 NORTH WASHINGTON  
AVENUE  
SCRANTON PA 18501