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3d eviction proceedings by stealth, so that Plaintiff was unaware of the proceedings
4 EVEN THOUGH SILVERSTEIN HAD BEEN CONTACTED BY PLAINTIFF'S
5 COUNSEL DR. ORLY TAITZ, Esq..

6 Plaintiff Lincoln has never recovered from the loss of his books and papers
7 (including the legal papers showing title to 4 Via Corbina, and Plaintiff's clothes!)
8 occasioned approximately six weeks ago by the Defendants' "sneak attack" eviction
9 of him. The Defendants planned, executed, and achieved their Pearl Harbor like
10 manoeuvre carefully and deliberately by stealthily sending concealed notices (not
11 sent to any of Plaintiff's actual known live-addresses prior to late August/early
12 September), by refusing to communicate directly with Plaintiff's attorney, Dr. Orly
13 Taitz, despite the fact that she contacted the Defendant Silverstein (another attorney)
14 and informed him of her status representing Plaintiff Lincoln, and only sending
15 notice to places here the Defendants were sure that Plaintiff would not be (such as
16 the house at 4 Via Corbina, knowing that he was out-of-town, out-of-state, and
17 represented by counsel).

18 This was a travesty of justice and a complete denial of due process of law,
19 especially since Defendant Silverstein failed or refused to show ANY copy of ANY
20 deed or act of sale or transfer to Plaintiff's attorney Taitz, and has STILL failed or
21 refused to attach any deed or act of sale or transfer to Plaintiff, or to file any with the
22 court, even in the papers of the present case. Plaintiff, by contrast, had already filed
23 his deeds and all other documents (including assignment of rights) from Hal Kuder,
24 Jr., in this United States District Court for the Central District of California,
25 Southern Division (Santa Ana). When Plaintiff sued Defendant Silverstein for "real
26 estate piracy" it was this sneak attack modus operandi, without even willingness to
27 show or assert the existence of legal deeds conferring legal title (i.e. no pirate "letters
28 of marquee"), to which Plaintiff was referring. If Plaintiff had not been working on

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3 his computer at Starbucks in Rancho Santa Margarita when Defendants' "pirates"
4 seized the house at 4 Via Corbina, Plaintiff would not even have had his computer on
5 which to write this motion or any other legal protests/papers.

6 WHEREFORE, Plaintiff prays for an addition 28 days (4 weeks) both to
7 respond to the Motion and to prepare for the hearing, until (respectively) November
8 30, 2009, and December 14, 2009. It also remains possible that Plaintiff, during this
9 time, will be able to secure the appearance of Dr. Orly Taitz, Esquire, or some other
10 licensed California attorney, as his counsel in this case.

11 **EX-PARTE APPLICATION TO USE ELECTRONIC COURT FILING (ECF)**

12 In addition, Plaintiff requests leave of Court to utilize ELECTRONIC COURT
13 FILING in this any other actions which may be necessarily filed in the United States
14 District Court for the Central District of California. Plaintiff, as a formerly licensed
15 attorney in the state of California, has some knowledge of court decorum and
16 procedure and assures this Court he will not waste the Court's time or file
17 vexatiously meritless pleadings or motions in this or any other case if allowed the
18 privilege of electronic filing.

19 WHEREFORE, Plaintiff applies to this Court for permission to use electronic
20 filing, and promises to avail himself of all resources and courses which may be
21 offered to ensure that he do so correctly.

22 **CERTIFICATE OF CONFERENCE REQUIRED BY L-R 7.4 (C.D.CA.)**

23 As shown in Exhibit A, the undersigned Plaintiff called Larry Rothman,
24 counsel of record for Defendant Silverstein, at approximately 12:40 p.m. on Monday,
25 November 2, 2009, at which time they discussed several matters. Because today,
26 Monday November, 2, 2009, is the last day upon which Plaintiff can serve and file
27 (by overnight delivery) this Motion and still have the benefit of timely filing under
28

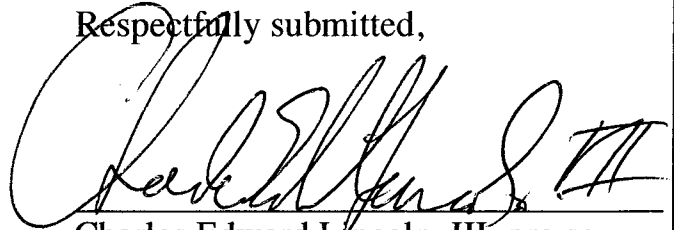
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3 the Federal Rules, Plaintiff was required to file this prior to receiving Defendant
4 Silverstein's answer to Plaintiff's request for stipulation.

5 **CERTIFICATE OF SERVICE:**

6 Plaintiff will supplement this Certificate of Conference immediately if Mr.
7 Rothman reports a stipulation to the enlargement of time, and Plaintiff will serve this
8 Motion immediately upon the Defendant's counsel by facsimile transmission to
9 (714) 363-0229 as well as by electronic (e-mail) attachment to Larry Rothman's e-
10 mail address shown as tocollect@aol.com on the cover sheet of Rothman's original
11 filing for Defendant Silverstein.

12
13 Monday, November 2, 2009

Respectfully submitted,



Charles Edward Lincoln, III, pro se
c/o Doctor Orly Taitz, Esquire
29639 Santa Margarita Parkway, #100
Rancho Santa Margarita, California
92688

Telephone: 512-968-2500
Facsimile: 949-766-7603

charles.lincoln@rocketmail.com

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***Exhibit A:
Copy of E-mail
Confirmation of
Telephone Conference***
*(No further response as of Monday 11/2/09
at 3:16 p.m.)*

Von: Charles Lincoln (charles.lincoln@rocketmail.com)
An: tocollect@aol.com
Datum: Montag, den 2. November 2009, 13:18:43 Uhr
Betreff: Lincoln v. Silverstein SACV09-1072 DOC (Ex)

Mr. Larry Rothman
Larry Rothman & Associates

Dear Mr. Rothman:

This is to confirm that on Monday, November 2, 2009, at approximately 12:40 pm, I called you and we spoke for 4 minutes regarding the due dates for response and hearing in Lincoln v. Silverstein SACV09-1072.

You said that you would confer with your client Mr. Steve Silverstein regarding the possibility of stipulating to a 4 week enlargement of time until November 28, 2009, to file a response to your Motion to Dismiss now set for hearing on November 16, 2009, and a corresponding continuance until December 14, 2009, of the hearing on your motion.

I also need to arrange to retrieve property (including some very valuable papers) which were or might have been removed from 4 Via Corbina, Rancho Santa Margarita, California 92688, during September.

Finally, I forgot to ask you, but would at this stage request your stipulation also, for leave to file electronically in this case, although I am still very hopeful that Dr. Taitz will represent me in the present case, as she is in the collateral action which she filed in State Court.

You said you would call me after having spoken to Mr. Silverstein, but indicated that might be as late as Tuesday morning.

In the meantime, I may need to file a Motion "Ex-Parte" with the District Court to protect myself from the risk of default under L.R. 7-12. I will certainly provide you with a copy of such a motion if I do indeed file one.

Thank you for your time, and I look forward to hearing from you.
Charles E. Lincoln

Deo Vindice
'May the Lord God be with you,
and with thy spirit!'

Charles E. Lincoln, III
Spiritual Patriot
Tierra Limpia
Tel: 512.968.2500

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Furthermore, Plaintiff's application to utilize electronic court filing will also be granted. Plaintiff is directed to follow the U.S. District Clerk's instructions on how to file pleadings and motions electronically with this Court.

DONE AND ORDERED in Chambers in and for the United States District Court for the Central District of California, Southern (Santa Ana) Division on this ____ day of November 2009.

The Honorable David O. Carter
United States District Judge
United States District Court
Central District of California
Southern (Santa Ana) Division