

UNIFORM COVER PAGE

[To be used when required by Administrative Order No. 2 (g)*]

COURT: CIRCUIT COURT OF FAULKNER COUNTY

Docket/Case Number: 23CV-23-1688

CASE NAME:

PLAINTIFF/

PETITIONER: BETTY FEGUEROA

DEFENDANT/

RESPONDENT: US BANK ET AL

TITLE OF PLEADING OR
DOCUMENT BEING FILED

(If a multi-part file, the
designation "part _ of _"
(example, part 1 of 2)): EXHIBITS

*Administrative Order No 2.

(g) *File Mark.* (1) There shall be a two inch (2") top margin on the first page of each document submitted for filing to accommodate the court's file mark. If the pleading or document must be filed in multi-parts because of size or for other reasons, the first page of each part must include the file name and file mark and shall clearly indicate the part number and number of parts (example, part 1 of 2).

(2) If a document is such that the first page cannot be drafted to provide sufficient space to satisfy the filemark requirement, the document must include the uniform cover page developed by the Administrative Office of the Courts and found under Forms and Publications at www.arcourts.gov.

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
FIRST DIVISION

BETTY FIGUEROA

vs.

U.S. BANK

)
)
)
)
)
)
)

Case No.: 23CV-23-1688

**Affidavit of Laura Lynn Hammett regarding denial of due process by Judge
Susan Kaye Weaver**

1. I, Laura Lynn Hammett, am over 21 years of age and competent to testify.
2. If given the opportunity to testify, I would say the following, which I know to be the truth to the best of my knowledge and belief.
3. On March 29, 2024, Mrs. Betty Figueroa asked me to answer a question by affidavit. I told her I had a similar experience to one she described to me, being metaphorically locked out of a court hearing, and she asked me how I describe the experience, who, what and where it happened.
4. I am a self-represented litigant in Case No. 65CV-21-20, presided over by Judge Susan Kaye Weaver. The case was fully briefed for Arkansas Court of Appeals Case No. CV-23-425 about fifteen months ago. The Appellee filed no opposing brief. The appeal is pending.
5. Judge Weaver, as detailed in my Appellant's opening Brief, denied me my right to speak on my own behalf during a hearing before I was dismissed as a defendant with prejudice.

6. Judge Weaver also denied a motion for a continuance that was accompanied by blood test results that showed I was ill. Despite it being during the COVID Pandemic, Judge Weaver commanded that we have the hearing in person, causing me to drive three hours that day, while ill. This potentially exposed others and me to infection with COVID.

7. Judge Weaver maintained a harsh tone of voice with me. Worse, she allowed opposing counsel to call me a “bitch” during a hearing, did not admonish him in any way and did not correct the court reporter for leaving the expletive out of the transcript.

I swear under penalty of perjury according to the laws of the United States and the State of Arkansas that the foregoing is true and correct to the best of my knowledge and belief.

April 1, 2024

/s/ Laura Lynn Hammett_____

Laura Lynn Hammett

Signed and notarized manually on the next page.

Laura Hammett

Laura Lynn Hammett

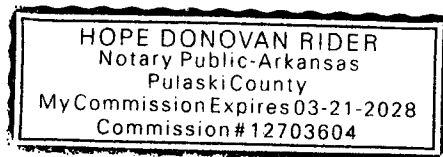
Notarization

In the State of Arkansas, Faulkner County

On this 1st day of April, 2024, before me, a Notary Public in and for the state, personally appeared Laura Lynn Hammett, known to me to be the person whose name is subscribed to the within instrument, Affidavit in Support of Motion to Correct and Settle the Record and acknowledged to me that she executed the same.

IN WITNESS WHEREOF I have set my hand and official seal.

Hope Donovan Rider



Commission expires 3/21/2028

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
FIRST DIVISION

BETTY FIGUEROA

vs.

U.S. BANK

)
)
)
)
)
)
)

Case No.: 23CV-23-1688

**Affidavit of Laura Lynn Hammett regarding denial of due process by Judge
Susan Kaye Weaver**

1. I, Laura Lynn Hammett, am over 21 years of age and competent to testify.
2. If given the opportunity to testify, I would say the following, which I know to be the truth to the best of my knowledge and belief.
3. On March 29, 2024, Mrs. Betty Figueroa asked me to answer a question by affidavit. I told her I had a similar experience to one she described to me, being metaphorically locked out of a court hearing, and she asked me how I describe the experience, who, what and where it happened.
4. I am a self-represented litigant in Case No. 65CV-21-20, presided over by Judge Susan Kaye Weaver. The case was fully briefed for Arkansas Court of Appeals Case No. CV-23-425 about fifteen months ago. The Appellee filed no opposing brief. The appeal is pending.
5. Judge Weaver, as detailed in my Appellant's opening Brief, denied me my right to speak on my own behalf during a hearing before I was dismissed as a defendant with prejudice.

6. Judge Weaver also denied a motion for a continuance that was accompanied by blood test results that showed I was ill. Despite it being during the COVID Pandemic, Judge Weaver commanded that we have the hearing in person, causing me to drive three hours that day, while ill. This potentially exposed others and me to infection with COVID.

7. Judge Weaver maintained a harsh tone of voice with me. Worse, she allowed opposing counsel to call me a “bitch” during a hearing, did not admonish him in any way and did not correct the court reporter for leaving the expletive out of the transcript.

I swear under penalty of perjury according to the laws of the United States and the State of Arkansas that the foregoing is true and correct to the best of my knowledge and belief.

April 1, 2024

/s/ Laura Lynn Hammett_____

Laura Lynn Hammett

Signed and notarized manually on the next page.

Laura Lynn Hammett

Laura Lynn Hammett

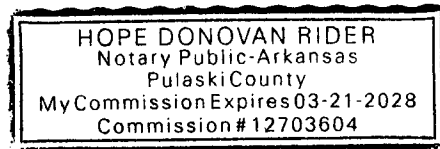
Notarization

In the State of Arkansas, Faulkner County

On this 1st day of April, 2024, before me, a Notary Public in and for the state, personally appeared Laura Lynn Hammett, known to me to be the person whose name is subscribed to the within instrument, Affidavit in Support of Motion to Correct and Settle the Record and acknowledged to me that she executed the same.

IN WITNESS WHEREOF I have set my hand and official seal.

Hope Donovan Rider



Commission expires 3/21/2028

NANCY EASTHAM
FAULKNER COUNTY CIRCUIT CLERK
P.O. BOX 9
CONWAY, AR 72033
PHONE: 501-450-4911

March 28, 2024

To Whom It May Concern:

This is to verify that BETTY FIGUEROA appeared in Faulkner County Circuit Court, Thursday, March 28, 2024 from 3:30 a m- 3:50 p m

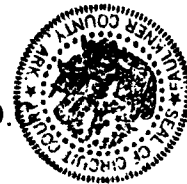
Witness my hand and the seal of Faulkner County Circuit Clerk, this 28th Day of March 2024..

NANCY EASTHAM, CLERK

BY

M. Eastham

D.



**IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
FIRST DIVISION**

BETTY FIGUEROA

PLAINTIFF

VS.

CASE NO. 23CV-23-1688

U.S. BANK

DEFENDANT

MOTION TO QUASH SUBPOENA

U.S. Bank, for its Motion to Quash Subpoena, pursuant to Rule 45(2) of the Arkansas Rules of Civil Procedure, states:

1. Plaintiff filed a pro se Complaint against U.S. Bank on October 30, 2023.
2. Plaintiff has not obtained service of process on U.S. Bank pursuant to Rule 4 of the Arkansas Rules of Civil Procedure and no Affidavit of Service has been filed in this case.
3. On October 31, 2023, Plaintiff walked into the Conway branch of U.S. Bank and left a "Subpoena", copy of which is attached hereto as Exhibit "A".
4. There is no time specified in the Subpoena for compliance therewith.
5. The Subpoena was not validly served on U.S. Bank as Rule 45(c) requires service of a subpoena "by the sheriff of the county in which it is to be served by his deputy or by any other person who is not a party and is not less than eighteen years old". Plaintiff is a party and therefore is not authorized to serve the Subpoena.
6. Moreover, such "service" is invalid as the Subpoena was not served on U.S. Bank's registered agent for service, or an officer of the corporation. See Ark. R. Civ. P. 4(f)(5) and Ark. Code Ann. § 23-48-327.

7. The Subpoena is not only invalid it seeks confidential information of a bank customer who is not a party to this case, is overbroad, unreasonable, oppressive and vague.

WHEREFORE, U.S. Bank respectfully requests that this Court quash the attached Subpoena.

Respectfully submitted,

ROSE LAW FIRM,
a Professional Association
120 East Fourth Street
Little Rock, AR 72201
(501) 375-9131 | Telephone
(501) 375-1309 | Facsimile
rdonovan@roselawfirm.com

By: /s/ Richard T. Donovan
Richard T. Donovan
Arkansas Bar No. 83054

Attorneys for Defendant

CERTIFICATE OF SERVICE

I, Richard Donovan, do hereby certify that the above and foregoing Motion to Quash Subpeona was served on Betty Figueroa, 42 Mace Circle, Conway, Arkansas 72032 via U.S. Mail on this 30th day of November, 2023.

By: /s/ Richard T. Donovan
Richard T. Donovan

ISSUED BY THE CIRCUIT COURT
FAULKNER COUNTY, ARKANSAS
SUBPOENA
FIRST DIVISION

BETTY FIGUEROA

PLAINTIFF

VS. 23CV-23-1688

US BANK ET AL

DEFENDANT

TO: US BANK IN CONWAY

YOU ARE COMMANDED to appear in the Circuit Court of Faulkner County, Arkansas, at the place,
date, and time specified below to testify in the above case.

YOU ARE COMMANDED to appear at the place, date and time specified below to testify in the
taking of a deposition in the above case.

PLACE OF DEPOSITION _____ DATE & TIME: _____

XX YOU ARE COMMANDED to produce and permit inspection and copying of the following documents
or objects (list documents or objects) :

**ANY & ALL FILES, DATA, PERSON WHO ENTERED INFORMATION IN THE SYSTEM, ANY AND ALL
RECORDS, RECORDINGS, CALLS, VIDEO, CHANGES MADE TO THE ACCOUNT, DEPOSITS, WITHDRAWL,
ACCOUNT NUMBERS, ANYTHING TO DO WITH THE ACCOUNT "PROFESSIONAL PHOTOGRAPHER"
BUSINESS ACCOUNT. BE ISSUED NOT LIMITED TO NOTES REPORTS OR DOCUMENTS PERTAINING TO THIS
ACCOUNT OR THE NUMBER. "PROFESSIONAL PHOTOGRAPHER" SSN: XXX-XX-4411 ALSO THE INFORMATION
OF ANY PERSON WHO HAS ACCESSED THESE RECORDS ALONG WITH DESCRIPTION OF THE REASON.**

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or
more officers, directors, managing agents, or other persons who consent to testify on its behalf, and may be set
forth, for each person designated, the matters on which the person will testify. Arkansas Rules of Civil
Procedure 30 (b)(6)

NANCY EASTHAM, CIRCUIT CLERK

BY _____



D.C.



DATE: October 30, 2023
P.O. Box 9

EXHIBIT
1

**IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
1ST DIVISION**

BETTY FIGUEROA

PLAINTIFF

VS.

CASE NO: 23CV-23-1688

U.S. BANK

DEFENDANT

ORDER

On this day comes this Honorable Court on its own initiative, with the Court being well and sufficiently advised in facts and law related to this case and doth **FINDS** and **ORDERS**:

- 1) Plaintiff filed a Complaint on October 30, 2023 and Motion for Contempt on November 8, 2023.
- 2) At request of Plaintiff, a court date was set for January 9, 2023 on the Motion for Contempt.
- 3) There is no proof of service of the Complaint and no proof of service on the Motion for Contempt.
- 4) Thus, the request for a court date was premature and the case shall be removed from the Court's January 9, 2023 docket and shall be continued until a later date.

IT IS SO ORDERED.



HONORABLE SUSAN K. WEAVER

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
FIRST DIVISION

BETTY FIGUEROA

PLAINTIFF

VS.

CASE NO. 23CV-23-1688

U.S. BANK

DEFENDANT

ORDER DENYING MOTION FOR DEFAULT JUDGMENT

The Court, being duly advised, does hereby DENY the Motion for Default Judgment filed by Betty Figueroa in the above-styled case.

IT IS SO ORDERED.

Honorable Susan K. Weaver

Prepared by:

ROSE LAW FIRM,
a Professional Association
120 East Fourth Street
Little Rock, AR 72201
Telephone: (501) 375-9131
tmlakar@roselawfirm.com

By: /s/ Tyler D. Mlakar
Tyler D. Mlakar
Arkansas Bar No. 2022150
Richard T. Donovan
Arkansas Bar No. 83054

Attorneys for Defendant



Case Title: BETTY FIGUEROA V US BANK ET AL
Case Number: 23CV-23-1688
Type: ORDER MOTION DENIED

So Ordered

A handwritten signature in black ink, appearing to be "S".

JUDGE SUSAN K. WEAVER

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
FIRST DIVISION

BETTY FIGUEROA

PLAINTIFF

VS.

CASE NO. 23CV-23-1688

U.S. BANK

DEFENDANT

ORDER GRANTING MOTION TO QUASH SUBPOENA

The Court, being duly advised, does hereby grant the Motion to Quash Subpoena filed by U.S. Bank in the above-styled case.

IT IS SO ORDERED.

Honorable Susan K. Weaver

Prepared by:

ROSE LAW FIRM,
a Professional Association
120 East Fourth Street
Little Rock, AR 72201
(501) 375-9131 | Telephone
(501) 375-1309 | Facsimile
rdonovan@roselawfirm.com

By: /s/ Richard T. Donovan
Richard T. Donovan
Arkansas Bar No. 83054

Attorneys for Defendant



Case Title: BETTY FIGUEROA V US BANK ET AL
Case Number: 23CV-23-1688
Type: ORDER MOTION GRANTED

So Ordered

A handwritten signature in black ink, appearing to be "S. K. Weaver".






JUDGE SUSAN K. WEAVER

Multiple Social Security Number (SSN) Informational Checklist

- I have decided to apply for a new SSN. The new SSN will be treated as the "active" SSN and all other SSNs will be "retired."
 - I understand that the new SSN may affect my ability to interact with Federal and State agencies, employers, and others, because past records, such as birth certificates, court papers, medical history, school and work history are in another name and SSN.
 - I understand that I will be unable to conduct any business with SSA using my "retired" SSN, including filing for any claims or benefits with SSA.
 - I understand that I am responsible for requesting that agencies identifying me with my SSN, update their records with my "active" SSN.
 - I will use only my "active" SSN unless I am asked for the "retired" one and there is a legitimate need why the person needs to know the "retired" SSN. I will also make sure the person knows I have a new SSN and that it is the one I am supposed to use now.
 - I understand that I cannot revert to using any "retired" SSN nor will I be allowed to update information in SSA's records concerning any "retired" SSN.
 - I understand that I will not be allowed to receive replacement SSN cards or SSN printouts for any "retired" SSN.
-



We received your application Inbox

 **usbank@notifi...** 09/04/2019
to me    

[Log in to Online Banking](#)

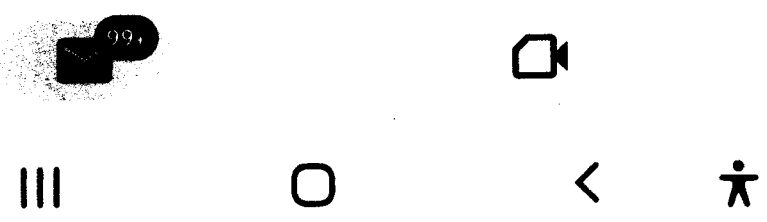


Dear, Betty

We received your online U.S. Bank Business Account application for your Professional Photographer Business.

Thanks for your patience while we review your information. We will contact you once we have a decision. We won't transfer any funds for your opening deposit until your application is approved.

Thank you for choosing U.S. Bank.





NEW US BANK ACCOUNT. ACTION



Required [arrow icon] Inbox



melissa.verdej... 09/04/2019

to me [dropdown arrow]



Dear Betty,

Thank you for your application for a new U.S. Bank account.

Upon review of your application, it has been determined that we are in need of further identifiable information and are requesting a copy of your valid Driver's License. Please fax or email a copy to my attention at (877)-691-8492 (if you could please enlarge and lighten the copy so that it might be transmitted clearly it would be appreciated).

If your Driver's License does not list your current address, please also send a recent utility bill, cell phone bill, pay stub, or mortgage/credit card statement to me.

Please note, this information must be received in order to proceed with your request for a new account. If we do not receive your information within 30 days from the application date we will consider your application withdrawn.

Once received, we will further review your application for approval. Please feel free to contact me with any questions or concerns.

We appreciate your business and look forward to serving you in the future.

Sincerely,

Missy Verdeja
Virtual Deposit Operations
U.S. Bank
Direct (651)466-7178
Fax 1(877)691-8492
melissa.verdeja@usbank.com

U.S. BANCORP made the following annotations

Electronic Privacy Notice. This e-mail, and any attachments, contains information that is, or may be, covered by electronic communications privacy laws, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing this information in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you in advance for your cooperation.



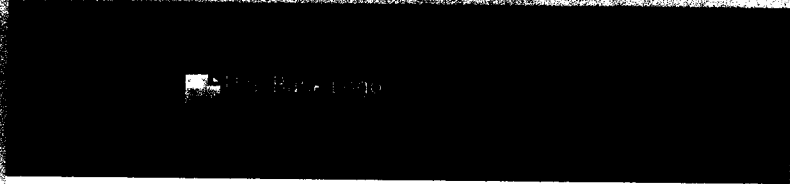


New U.S. Bank Account; Action Required Key123 Inbox



Deposit Revie... 09/04/2019

to me ▾



You have received a secure message from U.S. Bank

Read your secure message by opening the attachment, [securedoc_20190904T093805.html](#). You will be prompted to open (view) the file or save (download) it to your computer. For best results, save the file first, then open it in a Web browser. To access from a mobile device, forward this message to mobile@res.cisco.com to receive a mobile login URL.

If you have concerns about the validity of this message, contact the sender directly.





New U.S. Bank Account; Action Required Key123 Inbox



Deposit Revie... 09/04/2019

to me ▾



You have received a secure message from U.S. Bank

Read your secure message by opening the attachment, [securedoc_20190904T093805.html](#). You will be prompted to open (view) the file or save (download) it to your computer. For best results, save the file first, then open it in a Web browser. To access from a mobile device, forward this message to mobile@res.cisco.com to receive a mobile login URL.

If you have concerns about the validity of this message, contact the sender directly.

