

1 **William Palmer, Jr.**
2 **807 East 103rd Place**
3 **Los Angeles, California 90002**
4 **Phone: 562-215-9484**

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7 **SUPERIOR COURT OF CALIFORNIA**
8 **COUNTY OF LOS ANGELES**
9

10 Estate of:

11 **WILLIAM J. PALMER aka WILLIAM**
12 **PALMER**

13 **IVY EVETTE JOHNSON**

14 **Petitioner,**

15 **vs.**

16 **WILLIAM PALMER, JR.**

17 **Respondent**
18

No. 17STPB09575

**NOTICE OF MOTION AND MOTION FOR
PRELIMINARY INJUNCTION**

Cal. Code of Civ. Proc. 526(a)

Date: Wednesday, July 3, 2019

Time: 8:30am

Location: Dept. 4

Judge: Hon. Brenda J Perry

Date Action Filed: October 24, 201

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21 To defendant(s) Defendant(s) and to their attorney(s) of record:

22 NOTICE IS HEREBY GIVEN that on July 3, 2019, at 8:30am, or as soon thereafter as the matter
23 may be heard, in Department 4, of the Superior Court of California, County of Los Angeles, Central
24 District, 111 North Hill Street, Los Angeles, California 90012, RESPONDENT, William J. Palmer,
25 Jr. d will ask the court for an EX PARTE issuance of a preliminary injunction enjoining the Los
26 Angeles Sheriff Department, their employees, agents, and persons acting with, or on behalf of Blaylock
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1 Home Investments, from, proceeding with a lockout of William J. Palmer, Jr. from his home located at
2 807 East 103rd Place, Los Angeles, California 90002.

3 This motion is made pursuant to the provisions of Code of Civil Procedure section 526(a) on the
4 grounds that RESPODENT will suffer irreparable harm, if this action is allowed to proceed.
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6 This motion is based upon the memorandum in support and the declaration(s) of William J. Palmer,
7 Jr. filed herewith, the Certified Copy of the Birth Certificates of Ivy Evette Palmer, original probate
8 petitioner in this matter, and a Certified Copy of the Birth Certificate of RESPONDENT and
9 MOVANT, William J. Palmer, Jr., and on the records and file herein, and on such evidence as may be
10 presented at the hearing of the motion.
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13 Respectfully submitted this 2nd day of July 2019.
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16 By: William Palmer
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **Introduction**

3 RESPONDANT William J Palmer, Jr. (hereinafter referred to as RESPONDENT) seeks
4 emergency relief in the form of a temporary restraining order to prevent the Respondent William J.
5 Palmer, Jr. from being locked out of the only home he has ever know, following the fraudulent probate
6 proceedings perpetrated by Ivy Evette Johnson, and subsequent illegal eviction, wherein
7 RESPONDENT was never served a notice of end of tenancy, 3 day notice to quit, summons and
8 complaint, request for entry of default, and default judgment. For almost two years, RESPONDENT
9 HAS be DENIED any due process in the court by those who had an interested in using the courts to
10 STEAL a home which he should RIGHTFULLY INHERIET as the SOLE LEGAL HEIR of the
11 decedent in this matter, William J. Palmer, Sr.
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14 **Legal Standard for a Temporary Restraining Order**

15 The party seeking TRO relief must show either, "(1) a combination of likelihood of success on
16 the merits and the possibility of irreparable harm, or (2) that serious questions going to the merits are
17 raised, and the balance of hardships tips sharply in favor of the moving party." (*Immigrant Assistance*
18 *Project of the L.A. County of Fed'n of Labor v. INS, 306 F.3d 842, 873 (9th Cir.2002)*).") [T]hese
19 two formulations represent two points on a sliding scale in which the required degree of irreparable
20 harm increases as the probability of success decreases." (*Dep't ParTcs & Rec. of C a l i f, v. Bazaar*
21 *Del Mundo, I n c . , 448 F.3d 1118, 1123 (9th Cir.2006)*).
22

23 The underlying purpose of a TRO is to preserve the status quo and prevent irreparable harm
24 before a preliminary injunction hearing may be held. *Granny-Goose Foods, 415 U.S. at 439, 94 S. Ct.*
25 *1113 (1974); see also J?eio A i r Racing Ass'n v. McCord, 452 F.3d 1126, 1130-31 (9th Cir.2006)*.
26

27 **A. Irreparable Injury and Likelihood of Success**
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1 RESPONDENT suffers irreparable injury if the TRO is not granted because his family home is
2 the ONLY home the RESPONDENT has ever know, and no amount of money damages would properly
3 compensate him for the resulting homelessness, without due process of law. Furthermore, because the
4 lockout is scheduled to occur ANY DAY, there is insufficient time for this matter to be heard on notice,
5 and RESPONDENT is in grave danger of being deprived of his home before this matter can be heard
6 by the court on regular notice. At the same time, RESPONDENT in his accompanying declaration,
7 makes a substantial showing of likelihood of success on the merits. Specifically, the documentary
8 evidence in the form of the birth certificate of Ivy Evette Johnson shows UNQUESTIONABLY, that
9 Ivy Evette Johnson IS NOT the daughter of the decedent in this matter, William J. Palmer, Sr.
10

11 **Conclusion**

12 The RESPONDENT in this matter is the ONLY PARTY to the theft of his home that has
13 followed PROPERR, LEGAL court procedure, and provided proper notice to interested parties in his
14 efforts to save his home from a vicious theft, and a failure to grant this motion would leave
15 RESONDENT in the IMPOSSIBLE POSITION of both prosecuting this Probate matter, and seeking
16 damages from those responsible from the theft of his home from a from a position of homelessness.
17 For the foregoing reasons, RESPONDANT respectfully pleads for the court issue a temporary
18 restraining order preventing the lockout, pursuant to the May 30, 2019 Writ of Possession from taking
19 place, and give the RESPONDENT a fighting chance to defend the legal actions which have
20 accumulated against him without his knowledge.
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23 **PRAYER FOR RELIEF**

24 Based on the foregoing, William Palmer, Jr. ask the Court to issue a TEMPORARY
25 RESTRAINING ORDER preventing the lockout pursuant to the May 30, 2019, Wit of Possession of
26 his home, AND/OR
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1 That the court will make a finding that petition made to the court by Ivy Evette Johnson is a
2 FRAUD upon the court so the RESPONDENT may begin claim against the Surtec Bond and seek legal
3 advice to determine how to proceed in the handling of his father's estate, AND

4 Any other equitable and just relief that that the court deems appropriate, and set the matter for
5 hearing forthwith.

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7 Date: July 2, 2019

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10 William Palmer, Jr. Defendant in Pro Per
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No. 17STPB09575

DECLARATION OF WILLIAM J. PALMER, JR.
IN SUPPORT OF MOTION FOR PRELIMINARY
INJUNCTION

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Date: Wednesday, July 3, 2019

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21 I, William J. Palmer, Jr. declares as follows:

22 1. I am the respondent in this action, and make this declaration on my own personal knowledge.

23 If called I could and would testify competently to everything contained herein.

24 2. I am the son of the decedent in this matter, William J. Palmer, Sr.

25 3. I currently reside at 807 East 103rd Place, Los Angeles, California 90002, and it is the only
26 home I have ever known.
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1 3. On June 25, 2019, a five day notice to vacate was posted at my home from the Los Angeles
2 County Sheriffs. This notice was the FIRST notice I had received that someone was attempting to
3 evict me from my family home.

4 On July 1, 2019, I sought an order, VACATING the Unlawful Detainer Judgment which had resulted
5 in the five day notice to Vacate.
6

7 4. The COURT made an ERROR OF LAW, denying my motion on the basis that the Plaintiff in
8 the unlawful detainer matter had submitted a proof of service, describing service to a person who was
9 clearly NOT ME, and I was the ONLY person living in my family home at the time of service. In
10 addition, the court IGNORED my sworn declaration, stating that I had NOT received actual or
11 constructive notice of the Unlawful Detainer Proceedings, leaving me COMPLETELY defenseless
12 against a fraudulent probate transfer of my home, and a fraudulent eviction.
13

14 5. I have FILED and served a NOTICE OF APPEAL in this matter.

15 6. I will experience UNSPEAKBLE HARDSHIP if I am forced to leave the only home I have
16 ever known, as I do NOT have anywhere else to go, and would be rendered homeless.
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18 I declare on penalty of perjury under the laws of the State of California that the foregoing is true and
19 correct, so help me God.

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21 Respectfully submitted this 2nd day of July 2019.
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24 By: William Palmer
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26 William J. Palmer, Jr.
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EXHIBIT A
17STPB09575