

1 *Jeremy L. Bass, Pro Se*
2 *1515 2nd Ave*
3 *Lewiston, ID 83501-3926*
4 *Ph: 208-549-9584*
5 *Quantum.J.L.Bass@RAWdeal.io*
6

7 **IN THE DISTRICT COURT FOR THE SECOND JUDICIAL DISTRICT**
8 **FOR THE STATE OF IDAHO, IN AND FOR NEZ PERCE COUNTY**

JEREMY L. BASS,

Plaintiff,

vs.

MICHAEL J. NEWELL, c/o IDEA Law Group, LLC,
ESQ,
CARRINGTON MORTGAGE SERVICES, LLC,
BANK OF AMERICA, N.A.,
RECONTRUST COMPANY, N.A.,
DOE I-X

Defendants.

Case No. CV35221875

**MOTION FOR
RECONSIDERATION
OF TRO REQUEST
OR REQUEST FOR
PRELIMINARY INJUNCTION**

DEMAND FOR JURY

9
10
11 COMES NOW Plaintiff, JEREMY L. BASS (hereinafter "Mr. Bass"), and respectfully moves
12 this Court for reconsideration of the previous denial of the temporary restraining order (TRO)
13 and/or injunction, prohibiting Defendants, specifically Mr. Newell but including any other parties
14 in this matter, from proceeding with the scheduled trustee's sale of the property located at **1515**
15 **2nd AVE. LEWISTON ID 83501-3926** (hereinafter "THE PROPERTY" or "HOUSE" fully described in
16 further reading). As grounds for this request, Mr. Bass respectfully asks the Court to review the
17 following arguments and legal authorities in support of Mr. Bass' request:

18 "The court may, by injunction, on good cause shown, restrain the party in possession
19 from doing any act to the injury of real property during the foreclosure of a mortgage thereon, or
20 after a sale on execution before a conveyance." Pursuant to Idaho Code § 6-407 (2022), the court
21 has the authority to issue an injunction to protect the owner's rights in real property during a
22 foreclosure.

1 Due to the ongoing dispute over the property's ownership, the defendant's status seen
2 as a valid trustee is uncertain since the Defendant's right to hold such a sale is intrinsically
3 linked with the status of the property's ownership, and therefore their authority to execute the
4 sale is questionable. Allowing the sale to proceed would cause irreparable harm to the Plaintiff's
5 property rights. Therefore, the Plaintiff respectfully requests that the Court issue an injunction
6 pursuant to Idaho Code § 6-407 to prevent the defendant from selling the property until final
7 judgment is reached in this case, and to protect the Plaintiff's property rights during this dispute.

8 Additionally, Idaho Code § 6-409 (2022) provides that "An action for the recovery of real
9 property against a person in possession cannot be prejudiced by any alienation made by such
10 person, either before or after the commencement of the action."

11 The purpose of ID Code § 6-409 is to prevent a defendant in a real property action from
12 selling or transferring the property to a third party in order to defeat the plaintiff's claim to the
13 property. In this case, the defendant has already attempted to sell the property, and allowing the
14 sale to proceed could prejudice the Plaintiff's right to recover the property. Therefore, the
15

16 Plaintiff respectfully requests that the Court halt the sale until final judgment is reached
17 in this case, in accordance with Idaho Code § 6-409 to ensure that the Plaintiff's right to recover
18 the property is protected.
19

20 Furthermore, Idaho Code § 6-418 (2022) provides that "The owner in the main action is
21 entitled to an execution to put him in possession of his property in accordance with the
22 provisions of this act, but not otherwise."
23

1 This statute supports the Plaintiff's request for an injunction, as it confirms that the owner in the
2 main action is entitled to possession of their property, and the Plaintiff is the owner in the main
3 action. Allowing the sale to proceed would interfere with the Plaintiff's right to possession of
4 their property. Therefore, the Plaintiff respectfully requests that the Court issue an injunction in
5 accordance with Idaho Code § 6-418 to prevent the defendant from selling the property and
6 interfering with the Plaintiff's right to possession.

7 In addition to protecting Mr. Bass' rights to litigate his case fully, he seeks that the defendant be
8 barred from stalking him and his property, as shown in Exhibit AT, where they in the billing have
9 line itemed Mr. Bass for these court proceedings and attorney a head of the conclusion of these
10 matters, where in they state they have come on the property without permission from Mr. Bass,
11 and have been taking pictures as well. This is completely unacceptable behavior and
12 harassment. Mr. Bass has symptoms of PTSD and repeated trauma to deal with on top of these
13 court matters, and that he has repeatedly been approached by strangers, and now knows that
14 with out his knowledge people have been "inspecting" his property, only worsens his state. On
15 approximately 2023-03-27 late at night an individual was caught trying to sneak on the property
16 before being chased off. That was reported with the police. The defendants have continued to
17 use the process to harass Mr. Bass by changing dates, forcing Mr. Bass to file with the courts,
18 giving conflicting billing and other information with dates and amount that keep changing. The
19 stalking must stop, and Mr. Bass prays that the courts will grant a TRO at the least but a
20 preliminary injunction so that Mr. Bass and finish correcting his filings, finish building his case,
21 and have a chance to at least get some professional review on his work done in this documents
22 so he would be ready for a trial.

1 WHEREFORE, the Plaintiff respectfully requests that this Court issue a temporary restraining
2 order prohibiting the sale of the property located at 1515 ST AVE. LEWISTON ID 83501-3926, and
3 any other relief the Court deems just and proper,
4
5

Dated this 30 day of March 2023.

Respectfully submitted,
Jeremy L. Bass
Plaintiff/ Pro Se

Signature

CERTIFICATE OF MAILING

I certify that I have sent by email and first-class mail this OPPOSITION TO DEFENDANT'S MOTION TO DISMISS AND STRIKE SUMMONS AND COMPLAINT to Defendants on March 30th, 2023, at the following email address and postal address:

Email: mnewell@idealawgroupllc.com
Postal: Michael J. Newell ISBA #1953
IDEA Law Group, LLC
4530 S. Eastern Ave., Ste. 10
Las Vegas, NV 89119

Postal: BANK OF AMERICA, N.A
C T CORPORATION SYSTEM
1555 W SHORELINE DR
STE 100
BOISE, ID 83702

Postal: Randall Szabo #10901
IDEA Law Group, LLC
4530 S. Eastern Ave., Ste. 10
Las Vegas, NV 89119

Postal: CARRINGTON MORTGAGE SERVICES
C T CORPORATION SYSTEM
1555 W SHORELINE DR
STE 100
BOISE, ID 83702

Jeremy L. Bass
Plaintiff

Signature

ACKNOWLEDGMENT

STATE OF IDAHO)

: ss.

County of NEZ PERCE COUNTY)

On the _21_ day of __FEBRUARY__, 2023, before me, the undersigned Notary Public, personally appeared __Jeremy Bass__, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

Notary Public for Idaho

Residing at _____

Commission Expires: _____