

STATE OF MISSISSIPPI
IN THE CIRCUIT COURT FOR THE COUNTY OF DESOTO

DAVID SHAKIR,
Pro se Plaintiff,

CV2008-0280 CD

Vs. Case No. _____

NATIONWIDE TRUSTEES SERVICE, Inc.
Substitute Trustee/Defendant.

CIVIL COMPLAINT FOR DEED FRAUD/IDENTITY FRAUD

Comes now your Pro se Plaintiff, David Shakir, to move this Honorable Court to process this complaint against the above named defendant for the following reasons to show-wit:

I.

Plaintiff was served a notice by the above named defendant asserting to be acting as a substitute trustee alleging a debt for which I have sought on more than occasion a validation of said debt, for which they have not responded. (See attachm



STATE OF MISSISSIPPI - DESOTO COUNTY
CERTIFIED TRUE COPY

JUL 01 2008

DALE K. THOMPSON, CIRCUIT CLERK
BY _____ D.C.

FILED
JUN 27 2008
Dale K. Thompson
Circuit Court Clerk, Desoto County, MS

David Shakir

II.

A default decree should be issued against the Defendants for their failure to validate the said loan that justify the attempt to collect a debt for which Plaintiff avers he does not owe and which no check can be produced bearing Plaintiff's signature of a loan ever granted by any party thus mentioned in the "substitute notice letter" received by Plaintiff.

III.

THEREFORE IN LIGHT OF THE FOREGOING, your Pro se Plaintiff hereby conclude:

there are several issues of material fact in controversy and the defendant can not make a claim which can be granted by law;

This Court should consider all of the facts prior to entering a ruling in the interest of a pro se litigant whose property is being sought by the machination of deed fraud and identity fraud that could (and will) create irreparable harm to Plaintiff's credit record.

It would be unjust enrichment for the Defendant to be able to legal obtain the property (if) there exists any irregularities in the process of foreclosure, which Plaintiff allege exist in this sub judice case.

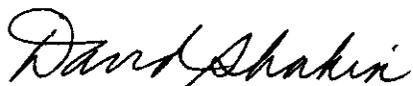
Respectfully Submitted,



David Shakir, Pro se Plaintiff
4643 Wedge Hill Drive
Olive Branch, MS 38654

CERTIFICATE OF SERVICE

I, David Shakir, hereby certify that a true copy of the foregoing complaint has been forwarded to the Defendants, Nationwide Trustees Services, Inc., at 1587 Northeast Expressway, Atlanta, GA 30329, this the 27th day of June 2008, by U.S. mail, postage prepaid.



David Shakir

STATE OF MISSISSIPPI
IN THE CIRCUIT COURT FOR THE COUNTY OF DESOTO

David Shakir,
Plaintiff, Pro se.,

CN2008-0220CD

Vs. Case No: _____

NATIONWIDE TRUSTEE SERVICES, INC.,
Defendant.

NOTICE OF LIS PENDENS

Comes now your Pro se litigant, to file this "*Notice of Lis Pendens*" on the above named party, for the following reasons to show-wit:

1. Plaintiff is the owner of a home the above named defendant is seeking foreclosure on personal property of Plaintiff, located at 4643 Wedge Hill Drive, Olive Branch, Mississippi, 38654; lot #87 Phase 3, Section C, The Arbor of Wedgewood subdivision in section 35, Township 1, South Range 7 West Desoto County Mississippi.

<p>FILED</p> <p>JUN 27 2008</p> <p><i>Deak K. Thompson</i> Circuit Court Clerk, Desoto County, MS</p>

2. Plaintiff is not in debt to the named defendant and the defendant has no contract bearing any transaction between the Defendant and Plaintiff and therefore, no legal right exist justifying the foreclosure that is in process.

3. Plaintiff having contacted Defendant on more than one occasion to validate the debt said to owed and the defendants have not responded procuring this information and thus we deem to be in default.

4. WHEREFORE, in the interest of justice and equity this notice should suffice to preserve the right of this pro se litigant and serve to forestall any and all attempts to deprive Plaintiff of his property absence due process of law until a court of law can review the pending complaint filed by pro se plaintiff.

Respectfully Submitted,



David Shakir, Pro se Plaintiff
4643 Wedge Hill Dr.
Olive Branch, MS 38654

Certificate of Service

I, David Shakir, hereby certify that a true copy of this Notice of Lis Pendens has been forwarded to the defendant, Nationwide Trustee Services, Inc., at 1587 Northeast Expressway, Atlanta, GA 30329, this the 27th day of June 2008, by placing in the U.S. services for next day delivery, all postage and cost prepaid.



David Shakir, Pro se Plaintiff

IN THE CIRCUIT COURT OF DESOTO COUNTY, MISSISSIPPI

DAVID SHAKIR, Pro se Plaintiff,

CN 2008-0220CD

Vs.

Civil Action No. _____

NATIONWIDE TRUSTEE SERVICES, Inc.
An Atlanta, GA Corporation, Defendant.

APPLICATION FOR ENTRY OF DEFAULT

The Clerk is requested to enter default against the Defendant, Nationwide Trustee Services, Inc., in the above-entitled and numbered action for failure to plead, answer or otherwise defend as set forth in the affidavit hereto.

This the 27 day of JUNE, 2008

David Shakir

David Shakir, Pro se litigant

FILED
JUN 27 2008
Chas. K. Thompson
Circuit Court Clerk, Desoto County, MS

CN2008-0220CD

STATE OF MISSISSIPPI)
COUNTY OF DESOTO)

AFFIDAVIT

PERSONALLY APPEARED BEFORE ME the undersigned, DAVID SHAKIR, being duly sworn states on oath as follows, to-wit:

- 1. That I am appearing before this Honorable Court pro se, and have personal knowledge of the facts set forth in this Affidavit;
- 2. That the Plaintiff have filed two separate "Notice of Demand" letters for validation of debts owed for a first and second mortgage to Nationwide Trustee Services, Inc., located at 1587 Northeast Expressway, Atlanta, GA 30329.
- 3. That more than 30 days have elapsed since the date on which the said Defendants were served with the notice of demand validation.
- 4. That the Affidavit is executed by Affiant herein in accordance with Rule 55 (a) of the Mississippi Rules of Civil Procedure, for the purpose of enabling the Plaintiff to obtain an entry of default against the Defendants.

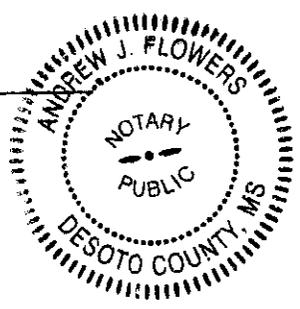
David Shakir
David Shakir, Pro se Plaintiff

Sworn and subscribed before me this 27th day of June 2008.

Notary Public Andrew J. Flowers

My Commission Expires:

FILED
MY COMMISSION EXPIRES DECEMBER 13, 2010
JUN 27 2008
Abel R. Thompson
Circuit Court Clerk, Desoto County, MS



NATIONWIDE TRUSTEE SERVICES, INC.

SUBSTITUTE TRUSTEE
 1587 NORTHEAST EXPRESSWAY,
 ATLANTA, GA 30329
 (770) 234-9181
 FAX (770) 234-9192

February 14, 2008

CV2008-0220CD

David Shakir
 1414 Tomco Cove
 Memphis, TN 38109

0803015MS SCJ

RE:	MSP File No.	348.0803015MS/SCJ
	Lender's Loan No.:	24354698
	Name Per Client:	David Shakir
	Unpaid Principal Balance:	\$ 294,757.51
	Property Address:	4643 Wedge Hill Drive Olive Branch, MS 38654

Dear Sir and/or Madam:

NOTICE PURSUANT TO FAIR DEBT COLLECTION PRACTICES ACT 15 USC 1692.

This letter is to advise you that Nationwide Trustee Services, Inc. and/or other individual Trustees have been retained to institute foreclosure proceedings against the above referenced property by Chase Manhattan Mortgage Corp. - CA, the creditor on the above referenced loan. *The total amount of the debt owed to the creditor consists of the above-referenced unpaid principal balance, any unpaid accrued interest, escrow/impound shortages or credits, late charges, legal fees/costs, and miscellaneous charges. You must contact Lashun Palmer (ext. 1613) at our offices to find out the total current amount needed to either bring your loan current or to pay off your loan in full.*

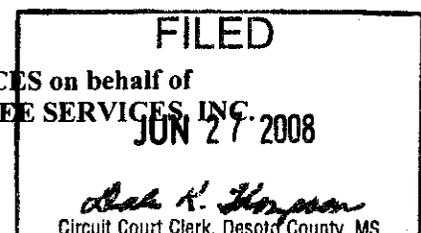
This letter is an attempt to collect a debt and any information obtained by virtue of it will be used for that purpose. Unless you notify us within thirty (30) days after receipt of this letter that the validity of this debt, or any portion of it, is disputed, we will assume that the debt is valid. If you notify us in writing of a dispute, we will obtain verification of the debt and mail it to you. If the creditor named in this letter is not the original creditor, and you make a written request to this office within thirty (30) days from receipt of this notice, then the name and address of the original creditor will be mailed to you by this office. We may commence the foreclosure action without waiting thirty (30) days, if so requested by our client. If you have received a discharge in a Chapter 7 bankruptcy, please be advised that these notices are required for foreclosures in this state.

If you are currently or have within the last three (3) months been in the military service AND joined after signing the Security Deed now in foreclosure, please notify this office immediately. You may be entitled to relief under the Servicemembers Civil Relief Act. When contacting this office as to your military service, you must provide us with positive proof as to your military status. If you do not provide this information, we will assume that you are not entitled to protection under the above mentioned Act.

All communication about the loan must now be made through this office. Your lender will no longer accept any payments or communications from you. For further information about this matter you may contact this office at the number above.

BE GOVERNED ACCORDINGLY.

Sincerely,
MR DEFAULT SERVICES on behalf of
NATIONWIDE TRUSTEE SERVICES, INC.
 Stephanie Johnson
 Legal Assistant



Attachments

NOTICE OF DEMAND

David Shakir
1414 Tomco Cove
Memphis, TN. 38109

NATIONWIDE TRUSTEE SERVICES, INC.
Substitute trustee
1587 Northeast Expressway
Atlanta, GA. 30329

Certified Mail # :

February 27, 2008

Re: MSP File No. 348-0803015MS/SCJ
Lender's Loan No.: 24354698

To Whom It May Concern:

This letter is being sent to you Nationwide Trustee Services, INC. in response to a notice sent to me on February 14, 2008 for and alleged \$294,757.51 debt. Be advised that this is not a refusal to pay, but a notice sent pursuant to the Fair Debt Collection Practices Act, 15 USC 1692g Sec. 809 (8) that your claim is disputed and validation is requested.

This is NOT a request for "verification" or proof of my mailing address, but a request for **VALIDATION** made pursuant to the above named Title and Section. I respectfully request that your offices Nationwide Trustee Services, INC. provide me with competent evidence that I have any legal obligation/contract to pay you Nationwide Trustee Services, INC.. At this time I will also inform you that if your offices have reported invalidated information to any of the 3 major Credit Bureaus (Equifax, Experian or TransUnion) this action might constitute fraud under both Federal and State Laws. Due to this fact, if any negative mark is found on any of my credit reports by your company or the company that you represent I will not hesitate in bringing legal action against you and your client for the following:

Violation of the Fair Credit Reporting Act

Violation of the Fair Debt Collection Practices Act

Defamation of Character

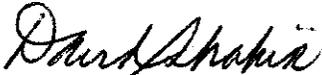
If your offices are able to provide the proper documentation as requested in the following Declaration, I will require at least 30 days to investigate this information and during such time all collection activity must cease and desist. Also during this validation period, if any action is taken which could be considered detrimental to any of my credit reports, I will consult with my legal counsel for suit. This includes any listing any information to a credit reporting repository that could be inaccurate or invalidated. If your offices fail to respond to this validation request within 30 days from the date of your receipt, all references to this account must be deleted and completely removed from my credit file and a copy of such deletion request shall be sent to me immediately.

NOTICE OF DEMAND

1 of 4

I WOULD ALSO LIKE TO REQUEST, IN WRITING, THAT NO FURTHER TELEPHONE CONTACT BE MADE BY YOUR OFFICES NATIONWIDE TRUSTEE SERVICES, INC. TO MY HOME OR TO MY PLACE OF EMPLOYMENT. IF YOUR OFFICES CONTINUE TO ATTEMPT TELEPHONE COMMUNICATION WITH ME IT WILL BE CONSIDERED HARASSMENT AND I WILL HAVE NO CHOICE BUT TO FILE SUIT. ALL FUTURE COMMUNICATIONS WITH ME MUST BE DONE IN WRITING AND SENT TO THE ADDRESS NOTED IN THIS LETTER. IT WOULD BE ADVISABLE THAT YOU AND YOUR CLIENT ASSURE THAT YOUR RECORDS ARE IN ORDER BEFORE I AM FORCED TO TAKE LEGAL ACTION.

Best Regards,


David Shakir

Enclosed: CREDITOR/DEBT COLLECTOR DECLARATION

NOTICE OF DEMAND

2 of 4

CREDITOR/DEBT COLLECTOR DECLARATION

Please provide all of the following information and submit the appropriate forms and paperwork within 30 days from the date of your receipt of this request for validation.

Name and Address of Alleged Creditor:

Name on File of Alleged Debtor:

Alleged Account#:

Address on File for Alleged Debtor:

Amount of alleged debt:

Date that this alleged debt became payable:

Date of original charge off or delinquency:

Was this debt assigned to debt collector or purchased?

Amount paid if debt was purchased:

Commission for debt collector if collection efforts are successful:

NOTICE OF DEMAND

3 of 4

Please attach a copy of the agreement with your client that grants NATIONWIDE TRUSTEE SERVICES, INC. the authority to collect this alleged debt.

Please attach a copy of any signed agreement debtor has made with NATIONWIDE TRUSTEE SERVICES, INC., or other verifiable proof that debtor has a contractual obligation to pay NATIONWIDE TRUSTEE SERVICES, INC..

Please attach a copy of any agreement that bears the signature of debtor, wherein he/she agreed to pay creditor.

Please attach copies of all statements while this account was open.

Have any insurance claims been made by any creditor regarding this account? YES NO

Have any judgments been obtained by any creditor regarding this account? YES NO

Please provide the name and address of the bonding agent for NATIONWIDE TRUSTEE SERVICES, INC., in case legal action becomes necessary:

All information provided is provided under the penalties of perjury.

Authorized Signature For Creditor

Date

You must return this completed form along with copies of all requested information, assignments or other transfer agreements, which would establish your right to collect this alleged debt within 30 days from the date of your receipt of this letter. Your claim cannot and WILL NOT be considered if any portion of this form is not completed and returned with copies of all requested documents. This is a request for validation made pursuant to the Fair Debt Collection Practices Act. Please allow 30 days for processing after I receive this information back.

NATIONWIDE TRUSTEE SERVICES, INC.

1587 NORTHEAST EXPRESSWAY
ATLANTA, GA 30329
(770) 234-9181
FAX (770) 234-9192

VIA CERTIFIED MAIL 7006 0810 0003 7226 4354
RETURN RECEIPT REQUESTED
Copy Via Regular Mail

May 27, 2008

David Shakir
4643 Wedge Hill Drive
Olive Branch, MS 38654

RE: MSP File No. 348.0803015MS/L
Lender's Loan No.: 24354698
Name Per Client: David Shakir
Property Address: 4643 Wedge Hill Drive
Olive Branch, MS 38654

Dear Sir and/or Madam:

This office represents Chase Home Finance LLC, the creditor to whom the above-referenced debt is owed. Enclosed please find a copy of Substitute Trustee's Notice of Sale that has been submitted for publication in the legal newspaper for the county where the above-referenced property is located. The foreclosure sale is currently scheduled for June 26, 2008.

This letter is an attempt to collect a debt and any information obtained by the virtue of it will be used for that purpose.

BE GOVERNED ACCORDINGLY.

Sincerely,
Nationwide Trustee Services, Inc.



LXSEALS
Legal Assistant

NOTICE AND DEMAND

From:

**David Shakir
1414 Tomco Cove
Memphis, Tn. 38109**

To:

**Nationwide Trustee Service, Inc
Substitute trustee
1587 Northeast Expressway
Atlanta, GA.30329**

**Certified Mail 70073020001 8412 8696
Certified Mail
Unanswered first request**

June 5, 2008

**Res MSP File No.
348-08030xsms/SCJ**

**Lender's Loans #'s: 24354698 - \$294,757.51
 24354706 - \$ 55,340.14**

Dear LXSeals

This is my second request for debt validation – my first request, sent within 30 days of receipt of your initial contact, has gone unanswered.

- 1. In reference to the alleged debt, please produce original contract validating the debt and copy of the check bearing my signature to this transaction.**
- 2. If your office cannot or do not provide the above requested documents within 21 days, we will seek legal counsel to obtain default and deem your office is committing fraud and identity theft.**

Cc/Christian Mayer

COVER SHEET

Civil Case Filing Form

(To be completed by Attorney/Party Prior to Filing of Pleading)

Court Identification Docket Number Case Year Docket Number

1796 2008 0220
County # Judicial District Court ID (CH, CI, CO)
06208 Month Date Year
Local Docket ID
0005

Mississippi Supreme Court Form AOC/01
Administrative Office of Courts (Revised 5/11/2000)

This area to be completed by Clerk Case Number if filed prior to 1/1/94

In the Circuit Court of Desoto County
Short Style of Case: Civil Complaint
Party Filing Initial Pleading: Type/Print Name David Shakir MS Bar No.
Check (X) if Not an Attorney Check (X) if Pro Hac Vice Signature David Shakir
Compensatory Damages Sought: N/A Punitive Damages Sought: N/A
Is Child Support contemplated as an issue in this suit? Yes No

PLAINTIFF - PARTY(IES) INITIALLY BRINGING SUIT SHOULD BE ENTERED FIRST (FIRST NAME IN SHORT STYLE) - ENTER ADDITIONAL PLAINTIFFS ON SEPARATE FORM

Individual Shakir David
Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV
Address of Plaintiff 423 Wedgehill Drive Olive Branch, MS
Check (X) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
Estate of
Check (X) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:
D/B/A / Agency
Business
Enter legal name of business, corporation, partnership, agency - if Corporation, indicate state where incorporated
Check (X) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below:
D/B/A:

DEFENDANT - NAME OF DEFENDANT (FIRST NAME IN SHORT STYLE) - ENTER ADDITIONAL DEFENDANTS ON SEPARATE FORM

Individual
Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV
Check (X) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
Estate of
Check (X) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:
D/B/A / Agency
Business Nationwide Trustee Services, Inc.
Enter legal name of business, corporation, partnership, agency - if Corporation, indicate state where incorporated
Check (X) if Business Defendant is filing suit in the name of an entity other than the above, and enter below:
D/B/A

ATTORNEY FOR THIS DEFENDANT: Bar No. Or Name: Pro Hac Vice (X)

In left hand column, check one (1) box that best describes the nature of this suit. In right hand column check all boxes which indicate secondary claims.

- Business/Commercial
Accounting (Business)
Bankruptcy
Business Dissolution - Corporation
Business Dissolution - Partnership
Debt Collection
Employment
Examination of Debtor
Execution
Foreign Judgment
Garnishment
Pension
Receivership
Replevin
Stockholder Suit
Other
Domestic Relations
Child Custody/Visitation
Child Support
Contempt
Divorce: Fault
Divorce: Irreconcilable Differences
Domestic Abuse
Emancipation
Modification
Paternity
Property Division
Separate Maintenance
Termination of Parental Rights
UIFSA (formerly URESA)
Other
Contract
Breach of Contract
Installment Contract
Insurance
Product Liability under Contract
Specific Performance
Other

- Probate
Accounting (Probate)
Birth Certificate Correction
Commitment
Conservatorship
Guardianship
Hearship
Intestate Estate
Minor's Settlement
Muniment of Title
Name Change
Power of Attorney
Testate Estate
Will Contest
Other
Statutes/Rules
Bond Validation
Civil Forfeiture
Declaratory Judgment
ERISA
Eminent Domain
Extraordinary Writ
Federal Statutes
Injunction or Restraining Order
Municipal Annexation
Racketeering (RICO)
Railroad
Seaman
Other
Appeals
Administrative Agency
County Court
Hardship Petition (Driver License)
Justice Court
MS Employment Security Comm'n
Municipal Court
Oil & Gas Board
Workers' Compensation
Other
Children and Minors - Non-Domestic
Adoption - Noncontested
Consent to Abortion for Minor
Removal of Minority

- Torts-Personal Injury
Bad Faith
Fraud
Loss of Consortium
Malpractice - Legal
Malpractice - Medical
Negligence - General
Negligence - Motor Vehicle
Products Liability
Wrongful Death
Other
Mass Tort
Asbestos
Chemical Spill
Dioxin
Hand/Arm Vibration
Hearing Loss
Radioactive Materials
Other
Real Property
Adverse Possession
Ejectment
Eminent Domain
Judicial Foreclosure
Lien Assertion
Partition
Receiver Appointment
Tax Sale: Confirmation/Cancellation
Title, Boundary &/or Easement
Other
Civil Rights
Elections
Habeas Corpus
Post Conviction Relief
Prisoner
Other
FILED
JUN 27 2008
Circuit Court Clerk, Desoto County, MS

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

**STATE OF MISSISSIPPI
COUNTY OF DE SOTO**

WHEREAS, on April 4, 2007, David Shakir executed and delivered a certain Deed of Trust unto Charles E Reed, Trustee for the benefit of Chase Bank USA, N.A., to secure an indebtedness therein described, which Deed of Trust is recorded in the office of the Chancery Clerk of De Soto County, Mississippi in Book 2, 696, Page 439; and

WHEREAS, said Deed of Trust was subsequently assigned unto Chase Home Finance LLC, by instrument recorded in the Office of the aforesaid Chancery Clerk in Book 2,895, Page 309; and

WHEREAS, the holder of said Deed of Trust substituted and appointed Nationwide Trustee Services, Inc., as Trustee in said Deed of Trust by instrument recorded in the Office of the aforesaid Chancery Clerk Book 2895, Page 315; and

WHEREAS, default having been made in the payments of indebtedness secured by said Deed of Trust, and the holder of said Deed of Trust, having requested the undersigned so to do, on July 3, 2008, I will, during legal hours (between the hours of 11 o' clock a.m. and 4 o' clock p.m.), at public outcry, offer for sale and will sell, at the East Front Steps of the De Soto County in Hernando, Mississippi, for cash to the highest bidder, the following described land and property situated in De Soto County, Mississippi, to-wit:

Lot 87 Phase 3, Section C, The Arbors of Wedgewood Subdivision, situated in Section 35, Township 1 south, range 7 west, DeSoto County, Mississippi as per plat thereof recorded in Plat Book 99, Pages 35-36 in the Office of the Chancery Court of DeSoto County, Mississippi.

Commonly known as: 4643 Wedge Hill Drive, Olive Branch, MS 38654

Parcel number: no parcel number has been assigned yet

Title to the above described property is believed to be good, but I will convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, this the 4th day of June, 2008

Christian Mayer

Christian Mayer, Vice President
Nationwide Trustee Services, Inc.
1587 Northeast Expressway
Atlanta, Ga 30329
(770) 234-9181 ext 1502

0803015MS

PUBLISH: 06/12/2008,06/19/2008,06/26/2008