

IN THE CIRCUIT COURT OF THE
21ST JUDICIAL CIRCUIT IN AND FOR
COLLIER COUNTY, FLORIDA

21ST MORTGAGE CORPORATION
PLAINTIFF

UNIFORM CASE NO. 112015 CA 11700000XX
CLERKS CASE NUMBER: 1501170CA

VS.

MARY JEAN ZISKA
DEFENDANT

DEFENDANT MARY JEAN ZISKA OBJECTION TO FORECLOSURE SALE

Defendant Mary Jean Ziska pursuant to 45.301, Florida Statutes, hereby files this Objection to Foreclosure Sale, and as grounds therefore state as follows:

1. Defendant Mary Jean Ziska is the owner of the real property located at 5632 Whisperwood Blvd. unit #1601 Naples Florida 34110, as described as:

Unit 1601, Building 16, Phase 16, CYPRESS COVE AT PELICAN STRAND, a condominium, according to the declaration thereof as recorded in Official Records Book 2394, Page2599, of the Public Records of Collier County, Florida, as amended.
2. A foreclosure sale was held on September 1st 2016, for the above described property. It was sold at the foreclosure auction for amount \$161,000.00 to 21st Mortgage Corporation (plaintiff).
3. Mary Jean Ziska, Defendant, objects to the sale. Marion Gregory as limited guardian has proved to be a negligent limited guardian. Her actions have harmed her ward's finances, credit and now her home ownership.
4. This case highlights the problems with limited guardianship. Lack of transparency and accountability in actions that are not in the best interest of the ward. Marion Gregory's history of actions taken when given her limited guardianship have been devastating to the ward (Mary Jean Ziska).
5. History of negligent behavior by Marion Gregory: In 2014, Marion Gregory, Linda Yerger and Antoinella Scarpa filed for Chapter 13 bankruptcy using information of Mary Jean Ziska without her consent. In 2015, Marion Gregory opened a 5th 3rd bank account, changed the payee to herself and the new bank account and obtained \$1222.66 as a direct deposit stealing funds from Mary Jean Ziska, for

Jan Feb. and March of 2015. This bank account was also opened without the consent or knowledge of Mary Jean Ziska. Marion Gregory, Linda Yerger were both involved in the foreclosure and subsequent sale of 5632 Whisperwood Blvd. Unit 1601 Naples Florida 34110. These subsequent actions have ruined credit, funds, and home ownership which not in the best interest of Mary Jean Ziska. The continued inexcusable and harmful actions of the limited guardian and the results that have harmed area of finances, credit and home ownership put into question the competency of the limited guardian and the actions taken for the defense of the foreclosure and subsequent sale of 5632 whisperwood blvd. Unit 1601 Naples fl. 34110 inexcusable res by the decisions made by a limited guardian

Wherefore, defendant Mary Jean Ziska respectfully requests that this Honorable Court sustain this objection to foreclosure sale, vacates the auction and subsequent sale of the property(5632 Whisperwood Blvd. unit 1601 Naples Florida 34110). As per investigation of the fraudulent practices of David J Stern and the manipulation of the title transfers to obtain documentation for the sheer purpose of foreclosure upon the property listed, the defendant, (Mary Jean Ziska) respectfully requests the title remain in the rightful owners name: (Mary Jean Ziska) with no title transfer to 21st Mortgage Corporation.

The manipulation perpetrated by David J Stern though subsequent companies exhibits a grievous example of fraud therefore the defendant, Mary Jean Ziska requests the foreclosure be dismissed and vacated along with the fraudulently contrived mortgages. A legal remedy is thus created for the fraud, by eliminating the subsequent fraudulently sold mortgages starting from AEGIS 1/3/2006. The remedy of reverting the mortgage back to Aegis should have been executed after the 1st foreclosure attempt(2008) by Residential Funding, however, Aegis went bankrupt in (2007).

The law recognizes that there will be situations where final judgments have been entered that would be wrong and unjust to leave as final judgements and recognizes that irregularities in the foreclosure process that make the sale void/ mistakes / fraud/ new evidence that bring to light this fraud. Therefore with no other legal remedy to this situation, the title should remain in defendant's name (Mary Jean Ziska) and the Ocwen mortgage/ the 21st Morgtgage / Christina Trust /Option One/ be removed and cleared from mortgage history on the basis they were all created based on an original fraud by David J Stern and Residential Funding to foreclose upon the property listed as 5632 Whisperwood Blvd. Unit 1601 Naples Florida 34110.

Respectfully Submitted,

Mary Jean Ziska

5632 Whisperwood Blvd. Unit 1601

Naples Florida 34110

