

07/16/12

To the Supreme Court of the State of Nevada

Letter to Court within 10 days after July 9, 2012 Hearing
Re: Servicer, Collector, not actual Title Holder Owner of Loan

ADKT 0435

FILED

From Gary Smith
2790 Wrondel Way
Reno, Nv 89502
Mailing Address
775 848 5507

JUL 17 2012
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

Dear Justices,

My name is Gary Smith, I recently testified at the July 09 2012, I was the one that compared myself to an average golfer playing at the Masters. But the Court made it ok for me to Testify, thank you.

As per the Courts Request, I am sending more information on my statement, that the pretend holder of my loan, the Servicer, Collector, GMAC, who is trying to Foreclose on my home, is not the holder of my title, there is not connection between GMAC and First National Bank of Nevada, the original owner of my loan. There is not, and has never been, a transfer, assignment, no original, no wet signature, on an original note, nothing recorded at the County Records Office, not even any transfer or assignment by the Banks beloved MERS.

I had said in my statement that I have been dealing for three years with only a Servicer Collector, not the Original Bank that made my loan. First National Bank of Nevada, was, closed by FDIC. Soon after the loan was made.

I believe, that at this point four years or so later, there is no actual title holder that can, or will ever show up to make the claim, it will be hurt if no payment is made.

I believe the original holder of the loan, First National, as many other banks did, sold the loan to one of the many entities, that were buying anything, and everything at the time, this was probably done because they knew they were heading for trouble with FDIC.

The buyers were Lehman, Hedge Funds, Credit Suisse, and many others, once these loans were sold, they went to a place that they could never be returned, Carrots into Carrot

RECEIVED
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TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

12-22573

If the above is true, and the Collector, Servicer, on my loan, GMAC, has no skin in the game, and has not paid a nickel for my loan, and has collected 200k or so over the last 4 or 5 years, and been able to keep all the money, the Collector, GMAC has not had to send off any money to anyone, because, there is not an actual original note holder to be found.

I have been to 2 full Mediations, November, 2011, and February 2012, GMAC, the collector, could not bring any proof of an actual owner of my loan, they admitted they were not Title Holder, and they think it might be Rescap, but were not sure.

Rescap/GMAC has recently filed Bankruptcy maybe we can find out, this information through the Bankruptcy Court. GMAC was sent out of both Mediations because, of a lack of paperwork., and of course, asked me for more paperwork before they could make a decision if I qualify for modification.

I would ask for the Court to ask for Discovery, and see if there is a canceled check, my payment being sent to the actual holder of my loan.

This Discovery, would be fair, since I have sent in 6 complete packages over the last 3 years, Bank accounts, financial statements 5 years of my tax returns, canceled checks, all records of my Social Security, payments, and more, I do still work also, I have all the records, 3 feet and 40 to 50 pounds of paperwork.

GMAC has Collected 200k, without ever investing a dime, and are trying to adopt a house, they have no financial interest in.

I am asking for the Nevada State Supreme Court to put a stop to forever paperwork, Mediation turned into Litigation, and give the pretender, Collector, Servicers, a deadline for proving actual ownership.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Smith", written in a cursive style.

Gary Smith