

# Re: OBJECTION NOTICE and request for permission for leave to appeal if appropriate in the case of BOS v Michaels 4PA41550 & A3-2017-2879 CoA

Low Newbiggin Estate <holidays@lownewbiggin.co.uk>

Mon 04/12/2017 16:20

To: Rahman, Oliur (Civil Appeals) <Mohammed.Rahman2@hmcts.gsi.gov.uk>;

Cc: scott.mcpherson@justice.gsi.gov.uk <scott.mcpherson@justice.gsi.gov.uk>; Louise (Retail Legal) Paterson <LouisePaterson@lloydsbanking.com>;

Oliur

We need to include the Master that consulted on this matter in our MOJ Subject Access request, under the Data Protection Act 1998.

Kindly advise the name of the Master that reviewed Lord Justice Newels decision.

Thank you

Paul

On 24 Nov 2017, at 12:15, Rahman, Oliur (Civil Appeals) <[Mohammed.Rahman2@hmcts.gsi.gov.uk](mailto:Mohammed.Rahman2@hmcts.gsi.gov.uk)> wrote:

Good afternoon,

**RE: RE: OBJECTION NOTICE and request for permission for leave to appeal if appropriate in the case of BOS v Michaels 4PA41550 & A3-2017-2879 CoA**

Thank you for your email on 18 November 2017. The matter was referred to a master. Please see her response below.

“As previously stated the Civil Appeals Office cannot assist further”

Thank you

**Oliur Rahman | Civil Appeals Office**

**Civil appeals associate**

The Royal Courts of Justice | Strand | London | WC2A 2LL

[Civilappeals.associates@hmcts.gsi.gov.uk](mailto:Civilappeals.associates@hmcts.gsi.gov.uk)

☎ 020 7947 7856 ☎ 020 7947 7945

---

**From:** Low Newbiggin Estate [mailto:[holidays@lownewbiggin.co.uk](mailto:holidays@lownewbiggin.co.uk)]

**Sent:** 18 November 2017 11:15

**To:** Rahman, Oliur (Civil Appeals)

**Cc:** [av@pccs.va](mailto:av@pccs.va); UKSC Registry; Marsland, Richard (HMCS-Comb Crt, Leeds); Brown, Bobby; [holidays@lownewbiggin.c.uk](mailto:holidays@lownewbiggin.c.uk); [general.enquiries@northyorkshire.pnn.police.uk](mailto:general.enquiries@northyorkshire.pnn.police.uk); AF Team; Louise (Retail Legal) Paterson; Group; Claudia Chiatto; [antonio.osorio@lloydsbanking.com](mailto:antonio.osorio@lloydsbanking.com); Robert Lockyer; Martin Watt; Andrew Baines; Stephen Cook; [Garbhan.Shanks@michelmores.com](mailto:Garbhan.Shanks@michelmores.com); [bryanhughes@eversheds-sutherland.com](mailto:bryanhughes@eversheds-sutherland.com); [Elizabeth.Denham@ico.gsi.gov.uk](mailto:Elizabeth.Denham@ico.gsi.gov.uk); [scott.mcpherson@justice.gsi.gov.uk](mailto:scott.mcpherson@justice.gsi.gov.uk); Robert Goodwill; Laura Wilmshurst; Heidi Short; [leeranson@eversheds-sutherland.com](mailto:leeranson@eversheds-sutherland.com); Land Registry

**Subject:** OBJECTION NOTICE and request for permission for leave to appeal if appropriate in the case of BOS v Michaels 4PA41550 & A3-2017-2879 CoA

Dear Sirs

This is a NOTICE not a letter.

Paul Michaels and Charlotte Sarah Michaels, Formally Object to this decision, findings and ruling.

The Court of Appeal has failed its 'Duty of Care' and obligations to provide the Defendants 'Fair or Just' consideration based on the facts presented to it.

The Defendants have no evidence, that this matter has received any lawful fair and just evaluation.

It is a statement of fact that Lord Justice Newey reviewed this matter during a lunch break. However in any event it was revised in less than two hour period, the time elapsed between the point that the defendants released the 313 pages of Sworn Affidavits to the time that Lord Justice Newey's succinct and limited in scope refusal for the defendant's to appeal, was given.

**The facts of Bank of Scotland (BOS) v Paul Michaels Charlotte Sarah Michaels (Michaels) Case Number 4PA41550**

- There is no foundation for this claim brought by the BOS
- There is no case for this matter to have ever been in or heard by a court
- There is no validity to the Claim brought by the BOS.
- There is no surviving contractual obligation between the parties
- There is no valid contract between the parties
- There is no monies due to the BOS
- There is no relief due to the BOS.
- There is moneys and relief due to the Defendants

HHJ Mark Raeside did not at any point seek to comprehensively or decisively, prove the banks position case or claim

HHJ Mark Raeside did not request to see or prove the validity of the original documentation upon which the banks case relies.

The Bank of Scotland did not prove the amounts alleged as owing by the defendants, nor did it provide any explanation or proof of its accounting assumptions and process of the same.

The Trial was heard and HHJ Raeside handing down his decision Order for possession and Judgement before the bank supplied a summary of the alleged balance of payments due under the alleged mortgage agreement

The Banks 'schedule' statement provided attached to a statement of truth by Antony Gibbons of Eversheds Sutherland, the banks lawyers **not** the bank, illustrating the balance of payments made under the alleged mortgage agreement was **not provided** to HHJ Mark Raeside and or the Defendants until the **17th October 2017** some **13 days after HHJ Mark Raeside handing down the Judgement. This breached procedural rules and proves beyond all reasonable doubt that the case was prejudiced and biased, as defendants evidence submitted late or applied for under Data Protection Act 1998 and forming the basis of an application for a stay of the Judges decision until it was validated, was disallowed, ignored or denied.**

HHJ Mark Raeside the court or the bank or its solicitors can rely on evidence provided post the handing down of a judgement to validate a finding and as such this banks case for possession and HHJ Mark Raeside's findings should be struck out and compensation given to the defendants.

If the court accept the statement supplied by the bank on the 17th October then they have a Duty of Care under procedural rules to adjourn HHJ Mark Raeside Order for Possession and a money Judgement until it receives a copy of

the documentation requested by the Defendants proving the legality and validity of the Mortgage document upon which the Bank of Scotland's case for possession and a money Judgement is base and relies.

HHJ Mark Raeside did not seek to investigate the fact that the Defendants had provided to the Bank of Scotland, on an ' x Gratia' basis a promissory note for £1,342,749.07 as full and final settlement of the alleged debt Non Assumpsit. HHJ Raeside accepted the statement from Mr McKlysy that he did not want to be drawn on the matter as he believed the defendants had sought direction from the internet. This crucial evidence was ignored and denied the Defendants the rights to a Fair and Just outcome.

The court of Appeal has disregarded Affidavits Sworn under Oath by recognised as an authorised person to do so, namely a Rev. Murtgah, the UK's most long standing Canon Lawyer. These Affidavits bring this matter into Ecclesiastical Law under the Jurisdiction of the Vatican and the Holy See in Rome under Canon Law.

The Court does not have the right or authority to dismiss disallow or ignore Affidavits sworn under oath proving the Defendants are real live persons, and declaring their natural, divine, civil and political rights under the common law of the land as declared by the divine creator.

This matter is now a criminal matter and the defendants demand that this case is transferred to the Crown court to be tried by a Jury.

In truth

Paul Michaels  
For and on behalf of;  
Paul Michaels, Charlotte Michaels and others.

On 8 Nov 2017, at 11:56, Rahman, Oliur (Civil Appeals)  
<[Mohammed.Rahman2@hmcts.gsi.gov.uk](mailto:Mohammed.Rahman2@hmcts.gsi.gov.uk)> wrote:

Good afternoon,

**RE: BOS v Michaels 4PA41550 & A3-2017-2879 CoA**

Thank you for your email dated 29 October 2017. The matter was referred to a Master. Please see her response below:

"The decision of Lord Justice Newey is final. The applicants have exhausted the domestic appellate process and the Civil Appeals Office cannot assist any further in this matter"

Regards

**Oliur Rahman | Civil Appeals Office**  
**Civil appeals associate**

The Royal Courts of Justice | Strand | London | WC2A 2LL

[Civilappeals.associates@hmcts.gsi.gov.uk](mailto:Civilappeals.associates@hmcts.gsi.gov.uk)

☎ 020 7947 7856 ☎ 020 7947 7945

**From:** Paul Michaels [<mailto:paulcharlottem@gmail.com>]

**Sent:** 29 October 2017 14:44

**To:** Civil Appeals - Associates; Civil Appeals - CMSA

**Subject:** Fwd: BOS v Michaels 4PA41550 & A3-2017-2879 CoA

Dear Sirs

Please see attached email and attachments which were rejected from another email address.

Kindly confirm receipt.

Faithfully

Paul Michaels  
 Low Newbiggin Estate  
 Aislaby  
 Nr Whitby  
 North York Moors National Park  
 YO21 1TQ  
 United Kingdom  
 UK Home/Office +44 (0) 1947 811 811  
 UK Mobile +44 (0) 774 779 3333

----- Forwarded message -----

**From:** Low Newbiggin Estate <[holidays@lownewbiggin.co.uk](mailto:holidays@lownewbiggin.co.uk)>

**Date:** 29 October 2017 at 14:35

**Subject:** BOS v Michaels 4PA41550 & A3-2017-2879 CoA

**To:** [Civilappeals.associates@hmcts.gsi.gov.uk](mailto:Civilappeals.associates@hmcts.gsi.gov.uk)

**Cc:** [av@pccs.va](mailto:av@pccs.va), AF Team

<[contact@actionfraud.pnn.police.uk](mailto:contact@actionfraud.pnn.police.uk)>, [Elizabeth.Denham@ico.gsi.gov.uk](mailto:Elizabeth.Denham@ico.gsi.gov.uk), "Louise (Retail Legal) Paterson"

<[LouisePaterson@lloydsbanking.com](mailto:LouisePaterson@lloydsbanking.com)>, [juan.columbas@lloydsbanking.com](mailto:juan.columbas@lloydsbanking.com),

"[antonio.osorio@lloydsbanking.com](mailto:antonio.osorio@lloydsbanking.com)" <[antonio.osorio@lloydsbanking.com](mailto:antonio.osorio@lloydsbanking.com)>, Group

<[groupexecutivecomplaints@lloydsbanking.com](mailto:groupexecutivecomplaints@lloydsbanking.com)>, Robert Lockyer

<[Robert.Lockyer@lloydstsb-offshore.com](mailto:Robert.Lockyer@lloydstsb-offshore.com)>, Martin Watt

<[martin\\_watt@bankofscotland.co.uk](mailto:martin_watt@bankofscotland.co.uk)>, Claudia Chiatto

<[claudia.chiatto@lloydsbanking.com](mailto:claudia.chiatto@lloydsbanking.com)>, Robert Goodwill

<[robert.goodwill.mp@parliament.uk](mailto:robert.goodwill.mp@parliament.uk)>, "[holidays@lownewbiggin.co.uk](mailto:holidays@lownewbiggin.co.uk)"

<[holidays@lownewbiggin.co.uk](mailto:holidays@lownewbiggin.co.uk)>, Andrew Baines

<[Andrew.Baines@michelmores.com](mailto:Andrew.Baines@michelmores.com)>, "[Garbhan.Shanks@michelmores.com](mailto:Garbhan.Shanks@michelmores.com)"

<[Garbhan.Shanks@michelmores.com](mailto:Garbhan.Shanks@michelmores.com)>, Sandra Irving <[irvingsl@nbnet.nb.ca](mailto:irvingsl@nbnet.nb.ca)>,

Charlie Bird <[c\\_bird@rogers.com](mailto:c_bird@rogers.com)>, Charlie Bird <[charlie@burkelaw.ca](mailto:charlie@burkelaw.ca)>, allison

<[allison@wbmlawyers.nb.ca](mailto:allison@wbmlawyers.nb.ca)>, "Backman, Ross"

<[ross.backman@rbc.com](mailto:ross.backman@rbc.com)>, [simonandjane@greenbee.net](mailto:simonandjane@greenbee.net), Paul Twomey

<[ptwomey@underwoodco.com](mailto:ptwomey@underwoodco.com)>

By Registered Post and Email.

Dear Sirs

We refer to the attached order made by Lord Justice Newey, received on Friday 27th October 2017, sent by Oliur Rahman of the HMCTS Court of Appeal.

LLOYDS HBOS is trying to steal the Defendants home, equity, investment, pension plan, businesses and or other land and properties, without any legal claim or paperwork to support its actions. (That the defendants have been able to witness or verify)

We cannot accept the decision ‘Order’ as ‘Fair’ and or ‘Just.’

Lord Justice Newey has Prevaricated unauthorised practice of Law Legal Ethics and Legal Maxims, (Canon Law)

Lord Justice Newey has ignored the Defendants Affidavits and Annexes of fact, sworn under Oath as the truth and witnessed by a Canon Lawyer of the Vatican.

The Defendants Affidavits State that payment was made in full to the Claimants (Non Assumpsit) on the 15th October 2017. This was confirmed by the Claimant Lloyds HBOS when they engaged by responding to the Defendants.

Lord Justice Newey has ignored the Tort of Misfeasance that was placed on HHJ Raeside.

The Defendants Bought the property in June 2001. The Land Registry shows records registered by the bank

retrospectively on 12.10.2001, twelve months before the Land Property Act replaced the Land Charges Act 1925. The Defendants home Low Newbiggin Estate, could not have been registered in Land Registry in 2001.

The Bank of Scotland has No (Zero) legal claim over the property known as Low Newbiggin Estate as it is not the holder of the original title deeds and it never has been.

The bank of Scotland has registered illegal claims outside of the protocols of the Land 14 day period for registration

We charge Lord Justice Newey with ‘out of Misfeasance’ on the basis that in reaching his decision he has breached his oath to the Queen, and did not consider all the facts (as known and believed by and provided to the defendants) and so could not possibly consider his decision as ‘air and or Just’, the premise of his promise to under which to serve the United Kingdom Justice system.

We DEMAND that the order is recalled and that a different order by consent with the Defendants is raised, requesting that

1. LLOYDS HBOS retract their claim, and
2. enter immediate mediation NOT LATER than Friday the 3rd November 2017, to resolve this matter before a third party declare that this case is a ‘Matter of Public interest’
3. Declare that no possession order will be enforced for Low Newbiggin House NYK256562
4. LLOYDS HBOS remove all charges against Low Newbiggin House and Bohunt Manor Barn
5. LLOYDS HBOS are Estopped from bringing any further charges or claims against Paul Michaels & Charlotte Michaels
6. LLOYDS HBOS remove all files and notes derogatory or otherwise from the defendants Credit

Reference Agency files and mark them 'Satisfactory Settled'

Should the HMCTS Court of Appeal not agree to review their decision then TAKE NOTICE that this matter will be and submitted, concurrently to the Supreme court and to President Ronny Abraham at the World Court, The Hague Netherlands, in order to validate the Defendants case.

The defendants give LLOYDS HBOS until 1600 hours on Tuesday the 31th October, to retract the matter from the HMCTS, otherwise take FAIR WARNING, that this matter will be escalated as a Criminal matter and reported to the authorities as a crime.

PLEASE NOTE that as real and alive honest and honourable people it was not the Defendants that brought this matter before the court. Nor do we seek to do the bank and others harm in public. We are merely protecting what is rightfully ours and what we have worked diligently honestly and tirelessly for. That protection starts with seeking out those entities or persons whom may seek to bring harm to our **dignity and credibility**

In Truth

Paul Michaels  
For and on behalf of  
Paul Michaels, Charlotte Sarah Michaels & Others.

On 27 Oct 2017, at 16:59, Civil Appeals - Associates  
<[civilappeals.associates@hmcts.gsi.gov.uk](mailto:civilappeals.associates@hmcts.gsi.gov.uk)> wrote:

Good afternoon,

RE:A3-2017-2879 CoA Order [27-10-17]

Please find attached an Order in relation to the above. Copies have also been sent out

by post.

Regards,

Oliur Rahman | Civil Appeals Office  
Civil appeals associate  
The Royal Courts of Justice | Strand | London | WC2A 2LL  
[Civilappeals.associates@hmcts.gsi.gov.uk](mailto:Civilappeals.associates@hmcts.gsi.gov.uk)  
'020 7947 7856 '020 7947 7945

This e-mail (and any attachment) is intended only for the attention of the addressee(s). Its unauthorised use, disclosure, storage or copying is not permitted. If you are not the intended recipient, please destroy all copies and inform the sender by return e-mail.

Internet e-mail is not a secure medium. Any reply to this message could be intercepted and read by someone else. Please bear that in mind when deciding whether to send material in response to this message by e-mail.

This e-mail (whether you are the sender or the recipient) may be monitored, recorded and retained by the Ministry of Justice. E-mail monitoring / blocking software may be used, and e-mail content may be read at any time. You have a responsibility to ensure laws are not broken when composing or forwarding e-mails and their contents.

---

This email has been scanned by the Symantec Email Security.cloud service. For more information please visit <http://www.symanteccloud.com>

---

This e-mail (and any attachment) is intended only for the attention of the addressee(s). Its unauthorised use, disclosure, storage or copying is not permitted. If you are not the intended recipient, please destroy all copies and inform the sender by return e-mail.

Internet e-mail is not a secure medium. Any reply to this message could be intercepted and read by someone else. Please bear that in mind when deciding whether to send material in response to this message by e-mail.

This e-mail (whether you are the sender or the recipient) may be monitored, recorded and retained by the Ministry of Justice. E-mail monitoring / blocking software may be used, and e-mail content may be read at any time. You have a responsibility to ensure laws are not broken when composing or forwarding e-mails and their contents.

---

This email has been scanned by the Symantec Email Security.cloud service.

For more information please visit <http://www.symanteccloud.com>

---

This e-mail (and any attachment) is intended only for the attention of the addressee(s). Its unauthorised use, disclosure, storage or copying is not permitted. If you are not the intended recipient, please destroy all copies and inform the sender by return e-mail.

Internet e-mail is not a secure medium. Any reply to this message could be intercepted and read by someone else. Please bear that in mind when deciding whether to send material in response to this message by e-mail.

This e-mail (whether you are the sender or the recipient) may be monitored, recorded and retained by the Ministry of Justice. E-mail monitoring / blocking software may be used, and e-mail content may be read at any time. You have a responsibility to ensure laws are not broken when composing or forwarding e-mails and their contents.