

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

In re: EDWARD STEPHONE WILLIAMS, Debtor

STUART A. GOLD, TRUSTEE,

Plaintiff-Appellant

v.

CAMILE VANICE WILLIAMS, GREGORY  
STEPHONE WILLIAMS, and CAMERON  
LaSHAWN WILLIAMS,

Defendants-Appellees

Case No. 24-1162

**On Appeal from the Opinion and Order of the  
District Court for the Eastern District of Michigan Reversing  
the Bankruptcy Court's February 22, 2023 Opinion and Order**

**BRIEF OF APPELLANT STUART A. GOLD, TRUSTEE**

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**CORPORATE DISCLOSURE STATEMENT**

Pursuant to Federal Rules of Appellate Procedure and 6<sup>th</sup> Cir. R. 26.1, counsel for Appellant certifies that no party to this appeal is a subsidiary or affiliate of a publicly owned corporation and no publicly owned corporation that is not a party to this appeal has a financial interest in the outcome.

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**STATEMENT REGARDING ORAL ARGUMENT**

Appellant Stuart A. Gold, Trustee does not believe oral argument is necessary because the facts and legal arguments are adequately presented in the record and oral argument will unlikely aid in the decisional process. Fed. R. App. P. 34(a)(2)(C). If the Court believes oral argument is necessary, then Appellant requests it be heard by video or telephonic conference. In the alternative, Appellant requests that he be excused from an in-person appearance at the hearing and that the matter be decided on the briefs under Fed. R. App. P. 34(e).

**STATEMENT OF JURISDICTION**

**I. District Court jurisdiction [Fed. R. App. P. 28(b)(1), 28(a)(4)(A)]**

District Courts have jurisdiction to hear “appeals from final judgments, orders, and decrees . . . of bankruptcy judges entered in cases and proceedings referred to the bankruptcy judges under section 157 of this title.” 28 U.S.C. § 158(a)(1). “Section 158 permits bankruptcy litigants to appeal bankruptcy-court orders as of right only where the orders finally dispose of discrete disputes within the larger case.” *Church Joint Venture, L.P. v. Blasingame (In re Blasingame)*, 651 Fed. Appx. 386, 388 (6th Cir. 2016) (quoting *Howard Delivery Serv. v. Zurich Am. Ins. Co.*, 547 U.S. 651, 657 n. 3 (2006) (internal quotation marks and alterations omitted)). The order on appeal here resolved discrete disputes and was final.

**II. Appellate Court jurisdiction [Fed. R. App. P. 28(b)(1), 28(a)(4)(B)]**

“The courts of appeals shall have jurisdiction of appeals from all final decisions, judgments, orders, and decrees entered under subsections (a) and (b) of this section.” 28 U.S.C. § 158(d)(1). “A decision is final if it ‘ends the litigation on the merits and leaves nothing for the court to do but execute the judgment.’” *Marlow v. Rollins Cotton Co. (In re Julien Co.)*, 146 F.3d 420, 422 (6th Cir. 1998) (quoting *Catlin v. United States*, 324 U.S. 229, 233 (1945)). The District Court’s order granting Appellees’ appeal left the parties with nothing further to litigate, so it is final and appealable. Thus, this Court has jurisdiction over the instant appeal.



**III. Filing dates [Fed. R. App. P. 28(b)(1), 28(a)(4)(C)]**

The District Court entered its opinion and order reversing the bankruptcy court's judgment below on February 20, 2024. (R.13) Appellant had 30 days to file a notice of appeal. Fed. R. App. P. 4(a)(1)(A). Appellant timely filed his notice of appeal in the District Court on February 26, 2024. (R. 14.)

**IV. Final order [Fed. R. App. P. 28(b)(1), 28(a)(4)(D)]**

As noted in section II, the District Court's opinion and order reversing the bankruptcy court's judgment was a final order disposing of all parties' claims.

**STATEMENT OF ISSUES PRESENTED**

- I. Whether the District Court Erred in Ruling the Probate Exception Applied to Divest the Bankruptcy Court of Jurisdiction to Determine Whether the Debtor's Interest in Real Property Acquired by Intestate Succession Constituted Property of the Bankruptcy Estate.

Appellant contends: Yes

**STATEMENT OF THE CASE**

This litigation arises out of Edward Stephone Williams' (the "Debtor") November 17, 2020 voluntary Chapter 7 bankruptcy filing in the Eastern District of Michigan Southern Division. See *Gold v. Vance (In re Williams)*, 649 B.R. 264 (Bankr. E.D. Mich. 2023). At the time of his bankruptcy filing the debtor resided at 18405 Prairie Street, Detroit, Michigan.

Stuart A. Gold was appointed Chapter 7 Trustee of the bankruptcy estate of Edward Williams by the Office of the United States Trustee.

In the bankruptcy case the Debtor asserted he is a "sovereign citizen" not subject to U.S. tax laws. The Debtor was indebted to the Internal Revenue Service at the time of his bankruptcy filing for unpaid federal income tax liabilities for the years 2005 through 2012, and 2014 through 2019 in the total amount of \$341,304.15.

In the bankruptcy case, the Debtor did not schedule an ownership interest in his residence at 18405 Prairie Street, Detroit, Michigan ("the Property") on his bankruptcy schedules A/B. The Debtor claimed the Property was transferred to and owned by his three (3) adult children. On January 25, 2021, the Chapter 7 Trustee filed an adversary proceeding against the Debtor's three children, Camile Williams, Gregory Williams and Cameron LaShawn Williams, for a declaratory judgment determining that the Property constitutes property of the bankruptcy estate pursuant to 11 U.S.C. 541(a), and to avoid defendants' unperfected ownership interest in the

Property under 11 U.S.C. §§ 544(a)(1) & 544(a)(3). (R. 3, PageID 635-639) The complaint alleged the Debtor was the owner of the Property obtained by intestate succession, following the June 15, 2019 death of his spouse Celia Williams, and that any purported transfer of the Property by the Debtor to defendants was avoidable as unperfected.

The defendants admitted Celia Williams died without a will, with no other assets, and no debts. At the time of the bankruptcy filing there was no state court probate proceeding open. Following his spouse's death, the Debtor had the taxing authorities place the Property in his name for billing real property taxes, paid the taxes in his own name, and insured the Property in his own name. (R. 3., PageID #746 & #747-750)

The defendants never answered the Trustee's complaint. As a result, the Chapter 7 Trustee obtained a February 26, 2021 default judgment against Debtor's children determining that the Property constituted property of the bankruptcy estate and avoiding the unperfected transfer of the Property to defendants pursuant to 11 U.S.C. §§ 544(a)(1) & 544(a)(3). (R.3, PageID #116-117)

Camile Williams subsequently agreed to purchase the Property from the bankruptcy estate. The bankruptcy court approved the sale to Ms. Williams on May 17, 2021 (R.3, PageID # 688-690), but she defaulted on the purchase agreement. The sale did not close.

On August 11, 2021, Camile Williams and her siblings moved for relief from the February 26, 2021 judgment. (R.3, PageID #122-143) The defendants' motion for relief from judgment ("the Motion") was based upon the argument that there was an original quit claim deed executed by Camile Williams' mother Celia Williams before her death conveying the Property to the defendants. However, defendants' counsel failed to verify the existence of the original of the alleged deed before filing the Motion.

During a deposition conducted before the scheduled evidentiary hearing on the Motion the defendants became aware of the Trustee's discovery that there was no original deed and that the proffered copy of the deed to the Property to defendants was forged. In response, on January 20, 2022, just before the date of the February 1, 2022 evidentiary hearing on the Motion, defendants filed a Motion for Relief From The Automatic Stay and to Hold Proceedings In Abeyance ("the Stay Lift Motion") in order to obtain a change in forum. (R.3, PageID #192-204) The Stay Lift Motion sought to allow defendants to open a probate estate in state court. Defendants' Stay Lift Motion failed to cite controlling United States Supreme Court and Sixth Circuit authority on the probate exception. The Trustee filed an objection to the Stay Lift Motion. (R.3, PageID #205)

On February 1, 2022, the Bankruptcy Court conducted an evidentiary hearing on the Motion and Stay Lift Motion. On February 22, 2023, the Bankruptcy Court

entered an opinion and final order in the adversary proceeding *Gold v. Vance*, which (1) denied the Camile Williams' August 11, 2020 motion for relief from the February 26, 2021 default judgment; (2) denied the April 4, 2023 motion for relief from the automatic stay and to hold proceedings in abeyance; and (3) voided the "Affidavit of Deed" recorded on June 15, 2021 by the debtor Edward Williams (the "February 22, 2023 Order"). In his detailed opinion, published at *Gold v. Vance (In re Williams)* 649 B.R. 264 (Bankr. E.D. Mich. 2023), Bankruptcy Judge Thomas Tucker found the subject deed to be a forgery. The bankruptcy court held that Camile Williams and her siblings' narrative about the existence of a quit claim deed and non-receipt of service of the Chapter 7 Trustee's Summons and Complaint to be false. The bankruptcy court also set forth its reasons why the probate exception did not apply.

On March 1, 2023, plaintiff Camile Williams and her siblings filed a notice of appeal of the February 22, 2023 Order limited to the Bankruptcy Court's denial of the Stay Lift Motion based upon the so called "probate exception". In the underlying bankruptcy case, Camile Williams's attorney, James Warr, was sanctioned for the probate exception argument proffered in the Stay Lift Motion. See *In re Williams*, 651 B.R. 436 (Bankr. E.D. Mich. 2023)

On March 28, 2023, the Chapter 7 Trustee filed a motion in the bankruptcy case seeking authority to sell the Property to USNAPBAC, Inc., a third party not for

profit housing corporation, for \$94,000.00, for the benefit of the bankruptcy estate's creditors.

On April 4, 2023, Camile Williams and her siblings filed a motion for a stay pending appeal of the Bankruptcy Court's February 22, 2023 Order. It sought to stay the Chapter 7 Trustee from selling the Property. On April 12, 2023, the Bankruptcy Court issued an Opinion and Order Denying Motion For Stay Pending Appeal. See *Gold v. Williams (In re Williams)* 649 B.R. 844 (Bankr. E.D. Mich. 2023). On the issue of likelihood of success on appeal, the bankruptcy court stated as follows:

The Court concludes that the Defendants have no likelihood of success on appeal, for the reasons stated in the court's detailed written opinion, filed on February 22, 2023 (Docket #69, the "February 22 Opinion"). The Stay Motion says that the Defendants' appeal is "based upon the Defendants' argument that the probate exception applies to this case." (Stay Motion at ¶7.1) But, as the Court explained in its February 22 Opinion, the probate exception does not apply in this case, based on *Marshall v. Marshall*, 547, U.S. 293, 126 S. Ct. 1735, 164 L. Ed. 2d 480 (2006), and *Chevalier v. Estate of Barnhard*, 803 F.3d 789 (6<sup>th</sup> Cir. 2015) (interpreting and applying *Marshall*). (See February 22 Opinion (Docket # 69), Part IV.B at 29-32). The Defendants' position is directly contrary to the *Chevalier* case, which is the controlling precedent of the Sixth Circuit Court of Appeals.

*In re Williams*, 649 B.R. at 848.

On April 18, 2023, Camile Williams filed a Motion For Stay Pending Appeal in the United States District Court. (R.5) On April 19, 2023, the Trustee filed a response. (R.6) On April 21, 2013, District Court Judge Shalina D. Kumar entered

an Order Denying Motion For Stay Pending Appeal. (R.7) In her opinion, Judge Kumar stated as follows:

After considering the material submitted by the parties and the robust record below, the bankruptcy court's assessment of the appellants' claims appears accurate. Because appellants have shown no likelihood of success on the merits, a stay pending appeal is not warranted. Appellants' motion (ECF no. 5) is DENIED.

On April 18, 2023, Camile Williams and her siblings, who never owned an interest in the Property and lacked standing, filed a response to the Chapter 7 Trustee's sale motion to disrupt the sale. The Court denied the objection and on May 17, 2023, entered an order approving the sale of the Property under 11 U.S.C. 363(b), 363(f) & 363(m). The May 17, 2023 sale order was not appealed and remains final and non-appealable. The sale of the Property closed on May 23, 2023.

On February 20, 2024, District Court Judge Shalina D. Kumar entered her Opinion and Order Reversing Bankruptcy Court's Opinion Regarding Appellants' Motion For Relief From Judgment, Motion For Relief From Automatic Stay, and Holding Proceedings in Abeyance, which opinion and order is the subject of this appeal. (R.13). See *Williams v. Gold (In re Williams)*, 2024 U.S. Dist. LEXIS 28700 (E.D. Mich. February 20, 2024)

#### **SUMMARY OF THE ARGUMENT**

Under Michigan law title to the Property vested in the Debtor immediately upon the death of his spouse. The Debtor's interest in the Property, acquired by



intestate succession, constituted property of the bankruptcy estate pursuant to 11 U.S.C. § 541(a). The Bankruptcy Court had exclusive jurisdiction over the Property as property of the bankruptcy estate pursuant to 28 U.S.C § 1334(e). As a result, the bankruptcy court had jurisdiction to avoid any unperfected interest in the Property and declare it to constitute property of the bankruptcy estate free and clear of any interests of the defendants. Following the Supreme Court’s decision in *Marshall v. Marshall*, 547 U.S. 293 (2006), the Sixth Circuit has stated that “the probate exception is narrowly limited to three circumstances: (1) if the plaintiff ‘seek[s] to probate...a will’; (2) if the plaintiff ‘seek[s] to...annul a will’; and (3) if the plaintiff ‘seek[s] to reach the res over which the state court had custody.’” *Chevalier v. Estate of Barnhard*, 803 F.3d 789, 801 (6<sup>th</sup> Cir. 2015) (citing *Lee Graham Shopping Ctr., LLC v. Estate of Kirsch*, 777 F.3d 678, 681 (4<sup>th</sup> Cir. 2015)). None of the three (3) narrowly drawn circumstances for application of the probate exception were present in this case. The probate exception does not apply because the relief requested in the Trustee’s complaint did *not* seek to interfere with any existing probate proceeding, assume jurisdiction over property that was previously or presently in state court custody, probate a will, or seek to annul a will. The bankruptcy court simply approved the Chapter 7 Trustee’s administration of property of the bankruptcy estate in existence on the date of the bankruptcy filing.

For these reasons, Appellant respectfully requests this Court to Reverse the opinion and order of the District Court below.

**STANDARDS OF REVIEW**

This Court reviews a decision of the bankruptcy court independently of the District Court's adjudication of the appeal, reviewing factual findings for clear error and legal conclusions de novo. *In re Omegas Grp., Inc.*, 16 F.3d 1443, 1447 (6<sup>th</sup> Cir. 1994).

**ARGUMENT**

**A. The Bankruptcy Court Correctly Determined the Probate Exception Did Not Apply.**

The probate exception did not divest the bankruptcy court of subject matter jurisdiction over property of the bankruptcy estate acquired by the Debtor by intestate succession before the bankruptcy filing. Appellant can find no prior reported case supporting Appellees' position. The cases relied upon by the District Court overturning the bankruptcy court, after previously denying a requested stay pending appeal, are completely distinguishable.

In this case, the bankruptcy court properly addressed the preliminary issue of the bankruptcy estate's interest in the Property at the time of the Debtor's bankruptcy filing when it correctly held "Under Michigan law, because the Property is real estate, ownership of the Property passed to the Debtor immediately upon the death of Celia Williams on June 15, 2019, without the need for any proceedings." *Gold v.*

*Vance*, 649 B.R. at 298. In support of that legal conclusion the bankruptcy court cited two (2) cases, *Price v. Estate of Aldrich*, No. 300412, 2012 Mich. App. LEXIS 145 (Mich. Ct. App. January 24, 2012) and *Michigan Trust Co. v. City of Grand Rapids*, 262 Mich. 547 (1933), substantiating its conclusion.

Because the Debtor was the owner of the Property on November 17, 2020, the date of his bankruptcy filing, the bankruptcy estate became the owner of the Property under 11 U.S.C. § 541(a).

Because the Property constituted property of the bankruptcy estate, the bankruptcy court had exclusive jurisdiction over the Property pursuant to 28 U.S.C. § 1334(e).<sup>1</sup> See generally 28 U.S.C. § 1334(e)(1) (court's jurisdiction extends over "all of the property, wherever located, of the debtor as of the commencement of [the bankruptcy case], and of property of the [bankruptcy] estate.")

The bankruptcy court held it had subject matter jurisdiction over the adversary proceeding brought by the Trustee under 28 U.S.C. § 1334(b), 157(a) and 157(b)(1).

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<sup>1</sup> 28 U.S.C. § 1334 grants federal district courts jurisdiction over bankruptcy cases and over civil proceedings arising under title 11, or arising in or related to cases under title 11. Section 157 of title 28 then authorizes the federal district courts to "refer" those bankruptcy cases and civil proceedings to the bankruptcy judges for the district. The United States District Court for the Eastern District of Michigan has done that in its local rule, E.D. Mich. LR 83.50 which states, in pertinent part:

Unless withdrawn by a district judge, all cases under Title 11 of the United States Code and any or all proceedings arising under Title 11 or arising in or related to a case under Title 11 are referred to bankruptcy judges. The court intends to give bankruptcy judges the broadest possible authority to administer cases and proceedings property within their jurisdiction.

The bankruptcy court also held that the adversary proceeding is a core proceeding under 28 U.S.C. §§ 157(b)(2)(A), 157(b)(2)(E), 157(b)(2)(G) and 157(b)(2)(O).

The bankruptcy court's mere recognition of the Property as constituting property of the bankruptcy estate subject to its jurisdiction did not constitute administration of an estate to trigger the probate exception. The bankruptcy court correctly held the probate exception did not divest the bankruptcy court of jurisdiction over the Property because the Trustee did not seek to probate or annul a will, disturb a prior ruling of a probate court, or otherwise seek to reach or affect property that is in or had ever been in the custody of a state probate court.

The probate exception does not justify dismissing any case that might impact a decedent's estate. It "reserves to state probate courts [1] the probate or annulment of a will and [2] the administration of a decedent's estate[.]" *Marshall v. Marshall*, 547 U.S. 293, 311 (2006). It also bars federal courts from "dispos[ing] of property that is in the custody of a state probate court." *Marshall*, 547 U.S. at 312. Other than that, federal courts retain jurisdiction "to entertain suits 'in favor of creditors, legatees and heirs' and other claimants against a decedent's estate." *Id.* at 296 (quoting *Markham v. Allen*, 326 U.S. 490 (1946)). Clarifying and curtailing the probate exception, *Marshall* reiterated that the courts "have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given." *Id.* 298-99.

After *Marshall*, the Sixth Circuit Court of Appeals, in *Chevalier v. Estate of Barnhart*, 803 F.3d 789 (6<sup>th</sup> Cir. 2015), held that the probate exception applies in only three situations:

Since *Marshall*, we and our sibling circuits have agreed that the probate exception is narrowly limited to three circumstances: (1) if the plaintiff “seek[s] to probate ... a will”; (2) if the plaintiff “seek[s] to ... annul a will”, and (3) if the plaintiff “seek[s] to reach the res over which the state court had custody.”

803 F.3d at 801 (citations omitted).

This Court has previously noted that the probate exception is not an excuse for federal courts to decline jurisdiction over otherwise justiciable claims “merely because the issues intertwine with claims proceeding in state court.” *Osborn v. Griffin*, 865 F. 3d 417, 435 (6<sup>th</sup> Cir. 2017). Here, where the claims asserted in the bankruptcy court are completely unconnected with any non-existent probate estate, will or other proceeding, the exception does not apply.

The bankruptcy court also considered defendants’ reliance on M.C.L. § 700.1302, a Michigan statute that vests jurisdiction regarding probate matters in the probate court. In its opinion *Gold v. Vance (In re Williams)* 649 B.R. 264 (Bankr. E.D. Mich. 2023), the bankruptcy court on that point correctly held as follows:

Under *Marshall* and *Chevalier*, however, such a state statute cannot divest the federal courts of jurisdiction. *Marshall* involved the same federal bankruptcy jurisdictional statute that applied in this case, 28 U.S.C. § 1334, see 547 U.S. at 308, and the supreme court held that

the jurisdiction of the federal courts, “having existed from the beginning of the Federal government, [can]not be impaired by subsequent state legislation creating courts of probate.”

547 U.S. at 314 (citation omitted). In *Chevalier*, the Sixth Circuit relied on *Marshall* to hold the following:

In *Marshall*, the Court firmly rejected the proposition that a federal court’s subject-matter jurisdiction is dependent upon the state law: “Jurisdiction is determined ‘by the law of the court’s creation and cannot be defeated by the extra territorial operation of a state statute . . . .’” We therefore look to only federal law to determine whether the probate exception . . . applies.

803 F.3d at 801 (citations omitted).

*Gold v. Vance* 649 B.R. at 284. See also *Perez v. Campbell*, 402 U.S. 637, 652 (1971) (the “controlling principle” is that “any state legislation which frustrates the full effectiveness of federal law is rendered invalid by the Supremacy Clause.”)

In its opinion, the District Court relied on three (3) non-bankruptcy cases with wildly different facts, facts which clearly called for application of the probate exception to defeat federal diversity jurisdiction. In *Matter of Estate of Lagano*, No. 20-CV- 10793, 2020 WL 9172828 (D.N.J. Nov. 25, 2020), plaintiff’s complaint in that case sought a money judgment against the fiduciary of the decedent’s open probate estate in his personal and official capacity. The court found that maintaining jurisdiction would usurp the authority of the probate court and affect the assets of the estate in custody of the probate court.

In *Dean v. Dean*, No. 21-CV- 02208, 2021 WL 6689546 (W.D. Tenn. Oct. 25, 2021), the son of decedent who died intestate filed a complaint to “up end” an already concluded state court probated estate. The court found the probate exception applied because the requested relief would disturb the estate that had already been probated.

In *Moser v. Pollin*, 294 F.3d 335 (2<sup>nd</sup> Cir. 2002), the Court of Appeals found the probate exception to federal diversity jurisdiction barred the District Court from asserting jurisdiction because the relief requested involved the validity or invalidity of a decedent’s will which would interfere with an open ongoing state court probate proceeding. None of the facts in any of these cases resemble those in the instant case.

The instant case is also distinguishable from the cases cited by the defendants in their appeal brief filed in District Court. In *Hayduk v. Burke* (In re *Burke*), 592 B.R. 834, (Bankr. E.D. Tenn. 2018), the bankruptcy court declined to exercise subject matter jurisdiction over a pre-bankruptcy disclaimer by the debtor of her interest in a will because it would require the court to “interfere with administration of the probate estate by the probate court.”

The case of *Boesky v. Siegel*, 305 F. Supp 3d 779 (E.D. Mich. 2018) supports the Trustee’s position that federal courts have jurisdiction in decedent estate situations where the proceeding would not interfere with a prior or pending state probate proceeding. In that case, the court found the probate exception did not apply

to divest the court of diversity jurisdiction where the prior concluded probate court case did not rule on the issue and claim before the court.

In *Parks v. Kiewel*, 2015 U.S. Dist. LEXIS 155979 (Kan. 2015), plaintiff's diversity action, seeking an order barring defendant from inheriting under the decedent's will, was dismissed for lack of jurisdiction based upon the probate exception because the relief requested would require annulment of a will.

In *Fitch v. Am. Elec. Power Sys. Comprehensive Med. Plan*, 2021 U.S. Dist. LEXIS 230556 (S.D. Ohio Dec. 2, 2021), the district court dismissed plaintiff's complaint because the relief requested sought to impose an equitable lien over funds in possession of an administrator of a pending state court probate estate.

The instant case, in the context of a bankruptcy proceeding, is remarkably different. Under Michigan law, the debtor was the owner of the Property at the time of the bankruptcy case, paying property taxes on the Property that was placed in his name, and insuring the Property in his own name. Under 28 U.S.C. § 1334(e), the bankruptcy court enjoyed exclusive jurisdiction over the Property as property of the bankruptcy estate of the Debtor. There was no will or prior or pending state court probate case to cause the bankruptcy court to refrain from exercising its exclusive jurisdiction.

The Trustee notes the Debtor and defendants did not subject the Property to a probate proceeding before the bankruptcy filing because the result would be the



same. The Debtor would be determined to be the owner of the Property which would have transparently and publicly subjected the Property to the Debtor's outstanding federal tax liens. The proposed change in forum to Wayne County Probate Court is futile as the Property has been sold and the bankruptcy estate would still be entitled to retain the sale proceeds of the Property under M.C.L. § 700.2102(1)(b) for distribution to the Debtor's creditors.

**CONCLUSION**

For the reasons stated, Appellant asks this Court to Reverse the opinion and judgment of the District Court and uphold the Bankruptcy Court's February 22, 2023 opinion and order below.

Respectfully submitted on April 2, 2024.

GOLD, LANGE, MAJOROS  
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**CERTIFICATION UNDER FED. R. APP. P. 32(g)**

The undersigned hereby certifies that, to the best of his knowledge, the *Brief of Appellant Stuart A. Gold* (“Brief”) complies with Federal Rule of Appellant Procedure 32(g) in that (1) it is under 30 pages in length, and thus no certification is necessary, and (2) the Brief, in its entirety (inclusive of all statements, tables, and certifications, as well as the cover page and certificate of service), contains approximately 5159 words (as checked with Microsoft Word’s word counter), and thus complies with the 13,000-word limit specified by Federal Rule of Appellant Procedure 32(a)(7)(B)(i).

April 2, 2024

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on April 2, 2024, the *Brief of Appellant Stuart A. Gold, Certificate of Service and Addendum* was served via ECF and via first class United States mail to the defendant/Appellees at the addresses below:

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April 2, 2024

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**ADDENDUM**DESIGNATION OF RELEVANT DISTRICT COURT DOCUMENTS  
6 CIR. R. 28(B)(1)(A)(1), 6 CIR. R. 30(G)(1)

<b>District Court Docket #</b>	<b>Page ID #</b>	<b>Description of Document</b>
13	NA	February 20, 2024 Opinion and Order
14	NA	Appellant's February 26, 2024 Notice of Appeal
3	635-639	Plaintiff's January 25, 2021 Complaint
3	746	2020 Wayne County Tax Receipt
3	747-750	State Auto Insurance property insurance declaration for 18405 Prairie St., Detroit, Michigan for September 11, 2019 through September 11, 2022
3	116-117	February 26, 2021 Default Judgment
3	688-690	May 17, 2021 Order Authorizing Sale
3	122-143	Motion for Relief from Judgment
3	192-204	Motion For Relief From Automatic Stay and Hold Proceedings in Abeyance
3	205	Trustee's Objection To Motion For Relief From Automatic Stay
5	914-942	Defendants' Motion For Stay Pending Appeal
6	1191-1204	Plaintiff's Response To Motion For Stay Pending Appeal
7	1205-1206	April 21, 2023 Order Denying Motion For Stay Pending Appeal

April 2, 2024

Respectfully submitted,

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