

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

SUPERIOR COURT

JESSE E. TORRES III)
 JENNIFER J. ADAMS)
 Plaintiffs)
 vs.)
 SOPHIE J. TORRES)
 JESSE E. TORRES IV)
 DEBTMERICA, LLC.)
 DONALD F. TORRES)
 Defendants)

Civil Docket # BACV2011-00433

PLAINTIFFS' EMERGENCY MOTION TO SET ASIDE MSCR 9A REQUIREMENTS FOR THIS AND THE MOTIONS CONTAINED HEREIN, AS NOTICE OF A SCHEDULED RULE 16 CONFERENCE WAS NOT RECEIVED BY THE PLAINTIFFS UNTIL DECEMBER 30, 2013 AT 3:41 PM EST, MAKING IT IMPOSSIBLE TO COMPLY WITH SUPERIOR COURT RULE 9A SERVICE REGARDING THE SCHEDULED RULE 16 HEARING

NOW COMES THE PLAINTIFFS in the above entitled action and move this Court under Superior Court Rule 9A(e) exception to set aside these 9A requirements for this and the following Pleadings.

AS GROUNDS THEREOF: The Plaintiffs did not receive notification of the scheduled Rule 16 Conference until December 30, 2013 at 3:41 PM EST, thus making it impossible to file their motions related to said Conference in compliance with Rule 9A.

The following motions are related to the scheduled Rule 16 Conference and must be heard before the scheduled conference for justice to be served and the Plaintiffs' Federal and State Constitutional rights preserved:

1. PLAINTIFFS' EMERGENCY MOTION FOR CHANGE OF VENUE

2. PLAINTIFFS' EMERGENCY MOTION FOR THE RECUSAL OF JUDGE CHRISTOPHER J. MUSE
3. PLAINTIFFS' EMERGENCY MOTION FOR RULE 16 CONFERENCE TO BE HEARD BY TELEPHONE
4. PLAINTIFFS' MEMORANDUM OF FACTS SURROUNDING THE ACTIONS OF THE BARNSTABLE SUPERIOR COURT CLERK'S OFFICE IN THE ABOVE ENTITLED MATTER
5. PLAINTIFFS' EMERGENCY MOTION TO SERVE THE DEFENDANTS ELECTRONICALLY IN THE SAME MANNER AND CONDITIONS AS USED BY THE MASSACHUSETTS COURT OF APPEALS FOR MOTIONS OR AS THEIR BETTER KNOWN, EMOTIONS
6. PLAINTIFFS' EMERGENCY MOTION TO SEAL PLAINTIFF'S ADDRESS

WHEREFORE the Plaintiffs pray that this motion be allowed for all of the arguments set forth herein, with specific notice that it was, and would be impossible to comply with Rule 9A while having the Plaintiffs' motions heard. The Plaintiffs aver that a denial of this motion would be perceived by the average person to be clearly punitive in nature, and would deny them a fair and impartial hearing as guaranteed them under the Seventh Amendment of the United States Constitution, Part 1, Article 15 of the Massachusetts Constitution and under the Due Process clauses of the 5th and 14th Amendments to the United States Constitution.

Respectfully submitted,

Respectfully submitted,

Jennifer J. Adams, Pro Se
jadams@jetiii.com

Jesse E. Torres III, Pro Se
jtorres@jetiii.com

Dated December 31, 2013