

11th Circuit Court of Appeals

James and Lori Graveling,
Plaintiffs-realtors

v.

ZARZAUR & SCHWARTZ, and
NAOMI IVKER
Defendants-respondants

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) **Case No. 11-1339 9D**
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Cover letter to Nov. 3, 2011's Petition for reconsideration and supplementation thereto

Affiants James and Lori Graveling, American Nationals, Living Souls and as otherwise identified in attached Petition for reconsideration affirm that the attached Affidavit and Petition for Reconsideration was filed into the U.S. District Court for the Northern District of Alabama Southern Division (case no. 11-AR-0589S) where assurance was given that said filed (see "FILED 2011 NOV - P 4:28" stamp) Petition for reconsideration would be electronically transferred to the 11th Circuit Court of Appeals (case no. 11-1339 9D).

Since we had heard nothing and received no correspondence from the 11th Circuit regarding our Petition for reconsideration, we called them December 12 and after speaking to **Mildred Norwood**, discovered that said petition was not found on the docket sheet! We checked with the US District Court as well and **Kathy Englebert** left the message on our phone machine today: "On your case the last thing that we have is the memorandum opinion and the order that was done on October 26th. That's the last entries that we have on this case."

Given the circumstances and Judge Acker's actions which are to us a clear violation of his oath and treasonous to the Constitution, we hope and want to

trust that no foul play has been involved in our Petition for reconsideration's not getting to the 11th Circuit Court of Appeals. If so, then we pray God to bring it to the light of justice and to have mercy, converting their souls and then honoring their oaths.

We began to write this that same day but were delayed in being able to finish and file this by a potentially life threatening family emergency. But we as soon as possible are taking action to file this same said petition a second time. As was suggested by Mildred, we want to communicate that we filed said Petition within the 21 (twenty one) days for reconsideration. Given that it was due to no fault of our own that our petition was not even processed into the 11th Circuit like it should have been, we request immediate review of this matter by the 11th Circuit.

As well, we add the following supplementation:

- 1) We illustrate our point on p. 7 under f) of said petition with now supplemented exhibit 2.
- 2) Further, we take this occasion to share James Graveling's testimony (see attached) regarding his having prayed for the events of September 11, 2001 and the God of the Christian Bible's answering with and in those very events as judgment to call us back to Himself. God has burning wrath towards impenitent sinners, yet incomprehensible loving compassion to those who seek Him through His Son Jesus. Given a) Scripture's teaching God is real, b) that He answers prayer, c) that James with much regret prayed for said judgment *before* the events of those day even occurred, he has no other choice to make than to conclude that God answered his prayer. He prayed with the ultimate goal that the earth might know that He is the true, only, and living God; that His Son and Messiah Jesus sits at His right hand as Psalm 2 says; and that men and nations like ours that act treacherously towards Him by breaking His commandments are punished with His judgments, but those that repent and trust in His gracious Son as their Salvation (Isaiah 49:6; 52:13-53:12; 55:1-7) –and show that by obedience to His commandments - are supremely blessed. And so, with the motive that our nation might fear Him again, repent to Him, believe on His Son and so ultimately be blessed, James prayed that prayer, vowing to tell the President and media if God so answered. God answered but

James so failed God –postponing, forgetting, neglecting to keep his vow. God clearly showed His displeasure and chastened James and his household, bringing him to fulfill his vow by conveying his testimony to executive and legislative officials as well as media as promised. James then asked God that if He wanted him to also bring the testimony to judges in the separate judicial power) He could use our trying financial circumstances (resulting from God’s chastening) to bring us before judges so that he could then share it. Thus finding us before judges, the testimony is shared. A sampling of attached exhibits show how James’ testimony and our history was shared with President Bush and the media and all these items by reference are hereby incorporated into this document. This is a call to humble us, to confess and turn from our sins, to be declared (freely) right with God through the sacrifice of His only begotten Son as we rest on Him, His life and His death alone in our place. Those who so rest in Christ have assurance God has forgiven them since He raised Him who claimed to be God’s Son from the dead after three days –all as the Old Covenant Scriptures prophesied. Please see the attached letter to a Muslim and pagan who wrote me to help you see the message I believe God has put on my heart- a message of Scriptural truth which my experience and testimony completely affirm - how God’s answers the prayers of His people, etc. I love everyone who reads this and hope they will know the Savior’s love too that they may escape eternal loss and enjoy eternal gain in Jesus.

May the God of the Bible be pleased to use it to His glory alone!

This affidavit under oath signed with reservation of all rights on December 19, 2011 by:
