

**IN THE CIRCUIT COURT OF SEARCY COUNTY, ARKANSAS
CIVIL DIVISION**

CASE No. 65CV-21-20

MICHEAL PIETRCZAK

PLAINTIFF

v.

**RURAL REVIVAL LIVING
TRUST; AND LAURA LYNN**

DEFENDANTS

**LAURA LYNN HAMMETT’S MOTION TO FIND ATTORNEY WILLIAM
Z. WHITE AND PLAINTIFF MICHEAL PIETRCZAK IN CRIMINAL
CONTEMPT**

Comes Laura Lynn Hammett, as an individual, who states:

1. The Court, Judge Susan Kaye Weaver presiding, entered an order on February 25, 2022 (“the Order”).
2. Paragraph 11 of the Order states:
“On December 22, 2021, the Defendant filed a Motion to Compel Discovery. The Plaintiff neither produced the requested documents nor

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responded to the Motion to Compel. Pursuant to Ark. R. Civ. P. 37(a), the Court grants the motion and orders the Defendant to comply with the discovery requests within ten (10) days from the entry of this Order.”

3. Because this amount is less than 14 days, weekends are not included in the computation of time. Ark. R. Civ. P. 6(a). Accordingly, the response was due on March 11, 2022.
4. Hammett’s interrogatories propounded are attached as Exhibit A.
5. Plaintiff’s responses are attached as Exhibit B.
6. The answers did not repeat the interrogatories before the answers.
7. The answers to the interrogatories were not verified nor signed by Micheal Pietrczak.
8. The answers were incomplete and perjury, if signed by Micheal Pietrczak.
9. For example, the Response to Interrogatory No. 6 signed by Mr. White stated:

“I have been to prison for using a fake id and stolen vehicle at the Mexican Border. That has been twenty-two years ago.”
10. Hammett asks the Court to take judicial notice of the Docket for Pietrczak’s plea agreement in case 3:08-cr-01659-JM attached as Exhibit C.
11. Micheal Pietrczak was fresh out of prison when he met Laura Lynn (now Laura Hammett) in December 2009 and began his fraud to obtain and keep all Hammett’s assets.
12. Micheal Pietrczak through Mr. White filed and litigated a substantially identical case previously as 65CV-18-8. At that time Laura Lynn and Rural Revival Living Trust were represented by attorney Rick Watson.

13. The case was dismissed for lack of prosecution on May 4, 2020. At that time, Mr. White and Mr. Pietrczak had refused to answer any interrogatories or comply with subpoenas to take Mr. Pietrczak's deposition.
14. Mr. White is aware that Mr. Pietrczak was committing fraud on Laura Lynn Hammett by the use of a confusing property settlement with the use of a trust that Micheal Pietrczak concocted.
15. Mr. White produced two handwritten notes, one signed by Micheal Pietrczak. True and correct copies of the notes are attached here as Exhibit D and Exhibit E.
16. Exhibit D is a "suicide" note dated November 1, 2016. This was less than three months before Mr. Pietrczak's "accident" of falling from a two story high tree that left him paralyzed, but not dead.
17. Micheal Pietrczak wrote to Walter Pietrczak, inter alia:
 "[Laura Lynn] will be sending you money. Use that to get her out and gone."

 "Dad call the lawyer we went to see about the foreclosure Zack White in Heber Springs, AR He will help you with the foreclosure + make Laura Lynn out + off my land."

 "Don't tell Laura Lynn about this or she may stop sending money. She is supposed to send me \$75,000 in well November, 2016, this month."
18. Clearly, the Pietrczak's were defrauding Hammett by telling her the matter would be settled if she sent half the money the unmarried couple paid for the property. This was repeated numerous times, in addition to the "husband and wife in the eyes of God" agreement the Court deemed "void ab initio" after

the October 7, 2021 hearing. It was repeated on a recorded call, (a copy presented to Mr. White), under penalty of perjury in an arbitration, and evidenced by this “suicide” note.

19. Exhibit E was written in the third person. It says, inter alia with grammatical, capitalization and spelling errors as shown:

“When Mike Had His 4 wheeler Accident. Under the influence She had EveryThing iN Her Name Already. Except for a 10oo iNTERest CONTRACT for \$150, for properties Truck, Tools, And LiquidatioN Business. She slipped up And wrote The ConTrAcT As ExeuAtoR of RuAl RevivAl Trust.”

Corrected for capitalization: “When Mike had his 4 wheeler accident. Under the influence she had everything in her name already. Except for a 10.00 interest contract for \$150, for properties truck, tools, and liquidation business. She slipped up and wrote the contract as executor of Rual Revival Trust.”

20. Yes, Micheal Pietrczak was able to convince Laura Lynn to sign the mortgage for the trust as trustee, knowing that Laura Lynn would not be allowed to represent the trust in court, even if she was trustee. Laura Lynn “slipped up”.
21. But the mortgage was not accompanied by a promissory note, a sales price, a loan, or a guarantor for the trust that held no assets other than the

mortgaged property. The mortgage was a legal document written by two non-attorneys on behalf of a trust, and was therefore void ab initio.

22. Laura Lynn retained counsel to represent the trust in 2018. She is unable to find an attorney who will touch the 2021 filing. Even the attorney, Rick Watson, who had the case dismissed once, will not take any cases in Searcy County since Judge Weaver took the bench. (A recording of a conversation with Mr. Watson's assistant in which she states this is available upon request.)
23. Mr. Pietrczak did not limit his fraud to Laura Lynn Hammett.
24. Mr. White provided copies of monthly payments Hammett made to Pietrczak until he refused to open escrow to exchange the \$75,000 from Hammett and a full release of any and all claims by either party.
25. A copy of the cashed checks, many altered by Mr. Pietrczak writing notes, is attached as Exhibit F.
26. Despite receiving monthly payments of \$658.18 through September 2016, Micheal Pietrczak filed an application for assistance from UAMS after his drunk driving accident that stated he had no income and no assets.
27. A true and correct copy of his application redacted of account numbers, etc, is attached as Exhibit G.
28. Micheal Pietrczak's defrauded Hammett of hundreds of thousands of dollars. Now Mr. White and Mr. Pietrczak are asking the Court to transfer the little Hammett has left by giving all Rural Revival Living Trust property to the fraudsters, without providing the Court ordered discovery responses.
29. Because the plaintiff refuses to give proper discovery responses, even after the Order of the Court, and the plaintiff's conduct is willful and calculated to

defraud Hammett. UAMS, the IRS and the Court, Hammett moves the Court to dismiss the complaint in its entirety as sanctions under ARCP 37.

Brief In Support

30. “Each interrogatory shall be answered separately and fully in writing under oath, unless it is objected to, in which event the objecting party shall state the reasons for objection and shall answer to the extent the interrogatory is not objectionable.” *Rule 33 - Interrogatories to Parties*, Ark. R. Civ. P. 33(b)(1)
31. “The party answering interrogatories shall repeat each interrogatory immediately before the answer or objection. The answers are to be signed by the person making them and the objections signed by the attorney making them.” *Rule 33 - Interrogatories to Parties*, Ark. R. Civ. P. 33(b)(2)
32. “If a party or an officer, director or managing agent of a party or a person designated under Rule 30(b)(6) or 31(a) to testify on behalf of a party fails to obey an order to provide or permit discovery, including an order made under subdivision (a) of this rule or Rule 35, the court in which the action is pending may make such orders in regard to the failure as are just, and among others the following:
 - (A) An order that the matters regarding which the order was made or any other designated facts shall be taken to be established for the purposes of the action in accordance with the claim of the party obtaining the order;
33. (B) An order refusing to allow the disobedient party to support or oppose designated claims or defenses, or prohibiting him from introducing designated matters in evidence;

34. (C) An order striking out pleadings or parts thereof, or staying further proceedings until the order is obeyed, or dismissing the action or proceeding or any part thereof, or rendering a judgment by default against the disobedient party;
35. (D) In lieu of any of the foregoing orders or in addition thereto, an order treating as a contempt of court the failure to obey any orders except an order to submit to a physical or mental examination;
36. Rule 37 - Failure to Make Discovery; Sanctions, Ark. R. Civ. P. 37

WHEREFORE, Laura Lynn Hammett respectfully asks this Court to dismiss the matter with prejudice and refer the case against Micheal Pietrczak, Walter Pietrczak and William Z. White to the prosecuting attorney for alleged financial fraud against a 59 year old woman, UAMS and the Internal Revenue Service.

March 13, 2022

Respectfully submitted,

/S/ Laura Lynn Hammett

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CERTIFICATE OF SERVICE

I hereby certify that, on March 13, 2022 I electronically filed **LAURA LYNN HAMMETT'S MOTION TO FIND ATTORNEY WILLIAM Z. WHITE AND MICHEAL PIETRCZAK IN CRIMINAL CONTEMPT**

with the Clerk of the Court using the eFlex Electronic Filing System, which shall send notification of such filing to all counsel of record.

March 13, 2022

/S/ Laura Lynn Hammett

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