

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:	§	
	§	
ELIZABETH ANNE ROHR,	§	Case No. 04-44682
	§	(Chapter 7)
Debtor.	§	
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CRAIG SAUNDERS, INDIVIDUALLY	§	
AND ON BEHALF OF HIS MINOR	§	
CHILDREN,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Adv. No. 05-4010
	§	
ELIZABETH ANNE ROHR,	§	
	§	
Defendant.	§	
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MICHELLE H. CHOW, CHAPTER 7	§	
TRUSTEE,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Adv. No. 05-4173
	§	
ELIZABETH A. ROHR,	§	
	§	
Defendant.	§	
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MICHELLE H. CHOW, CHAPTER 7	§	
TRUSTEE,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Adv. No. 05-4255
	§	
CYNTHIA MITCHELL, in her official	§	
capacity as Denton County Clerk, and	§	
ELIZABETH A. ROHR, Debtor,	§	
	§	
Defendants.	§	

ORDER REGARDING NOTICE OF CHANGE OF ADDRESS

At a hearing on January 18, 2006, Elizabeth Anne Rohr (the “Debtor”) requested, on the record, that the following address be used for notice and service purposes: 509-C, Highway 114, Roanoke, Texas. On January 20, 2006, this Court entered a MISCELLANEOUS ORDER SPECIFYING ADDRESS FOR SERVICE ON THE DEBTOR [Dkt. No. 391] (the “Miscellaneous Order”). In the Miscellaneous Order, the Court instructed that all documents requiring service on the Debtor would be served at “509-C, Highway 114, Roanoke, Texas, 76262 . . . unless and until the Debtor files and serves an appropriate written notice of change of address.”

On May 31, 2006, this Clerk of the Court received correspondence from the Debtor. The Clerk docketed the correspondence as a NOTICE OF CHANGE OF ADDRESS [Dkt. No. 398] since, in her letter, the Debtor directed that all papers in the above-styled bankruptcy case and all related adversary proceedings be sent to her at the following addresses:

“ELIZABETH A ROHR
c/o Elizabeth-Anne: family of Rohr
at: post office box 292
Roanoke, Texas
[zip exempt DMM 122.32]”

and

“c/o Elizabeth Anne: family of Rohr
for: ELIZABETH A ROHR #128952
A-444 Denton County Jail
127 North Woodrow Lane, Denton, Texas
[zip exempt DMM 122.32].”

The Debtor further instructed the Court to “please be sure to note the addresses are case and punctuation sensitive; please be sure to use exact capitalization, punctuation, spelling

and no abbreviations to imply Federal jurisdiction where none exists.”¹

The Debtor appears to make two objections to the Court in the Notice of Change of Address.² First, the Debtor objects to the use of her proper legal name in the address for service upon her. However, the Debtor used the name “Elizabeth Anne Rohr” when she voluntarily filed a petition initiating this bankruptcy case. Further, the use of the name “Elizabeth Anne Rohr” clearly identifies the Debtor and is sufficient for service of process. *See United States v. Mitchell*, 405 F.Supp.2d 602 (D. Md. 2005) (rejecting the defendants’ argument that they were not properly identified in captions of indictments because their names appeared in all capital letters).

Second, the Debtor objects to the use of a zip code in any address for service upon her, apparently under the belief that the use of a zip code could be construed as an acknowledgement that she is a citizen of the United States and subject to its laws. The Debtor, however, disclosed her address, including a zip code, on her original bankruptcy petition. That address became part of the Court’s master mailing matrix. The Local Bankruptcy Rules proscribe the form of the master mailing matrix and require that, for domestic mail, “the last line of every address MUST contain EACH of the following

¹ The Notice of Change of Address does not contain a certification of service, but the Debtor purports to carbon copy Mark Ian Agee (counsel for the Chapter 7 trustee), Mark J. Petrocchi (counsel for Craig Saunders) and Davor Rukavina (counsel for Spectra Land, L.P.).

² The “Notice of Change of Address” is consistent with several documents filed by the Debtor after the entry of the Miscellaneous Order. On January 31, 2006, the Debtor filed a document entitled AFFIDAVIT OF ERROR AND NOTICE OF MISTAKE [Dkt. No. 369] in which she instructed the Court that “Elizabeth-Anne: family of Rohr (Elizabeth-Anne: Rohr) is the only proper designation for the Sovereign Living Soul, and is not interchangeable with ELIZABETH ANN ROHR and all derivatives thereof; the State created fiction, a trust and corporation so, and may not be used one for the other, except in the above manner so designated.” Additionally, on February 9, 2006, the Debtor filed a document entitled NOTICE OF VIOLATION OF COURT ORDER [Dkt. No. 272] in which she appears to complain that Mr. Agee has improperly used a zip code on documents served on her. She states that “I am a Native American, not a US citizen; to me, mail with a zip code is unacceptable and it’s [sic] use confers UNITED STATES/ federal jurisdiction over me”

items IN THIS ORDER: the city, the two character state abbreviation ... and ... the zip code.” LBR Appendix 1007-b-5 at ¶12; *see also* LBR 1007(a)(4).

The Court’s rules are consistent with the conventional understanding of the contents of a mailing address. As it is commonly understood, a party’s mailing address includes her zip code, which if not used, will likely mean the item will not reach the intended recipient. Thus, in order to insure that the Debtor receives proper service of documents from this Court, a copy of this Order and any other mailings from this Court will be sent to the Debtor at the addresses listed above, including the appropriate zip code, rather than in the manner the Debtor attempts to dictate. *See Ferguson v. Alabama Criminal Justice Information Center*, 962 F.Supp. 1446, 1447 (M.D. Ala. 1997) (rejecting petitioner’s instruction that correspondence should be addressed to him without the use of a zip code); *State of Alabama v. Kemp*, 952 F.Supp. 722 (N.D. Ala. 1997) (rejecting petitioner’s argument that use of a zip code is voluntary and directing the clerk to ascertain and use a zip code). Additionally, since it has come to the Court’s attention that the Debtor is currently assigned to the Woodman State Jail in Gatesville, Texas, a copy of this Order and all future documents requiring service upon the Debtor will be sent to that address as well.

For the foregoing reasons,

IT IS ORDERED that, although the Debtor did not provide zip codes as part of her new mailing addresses, the Clerk of the Court is directed to ascertain the relevant zip codes for the addresses listed by the Debtor in her NOTICE OF CHANGE OF ADDRESS [Dkt. No. 398].

IT IS FURTHER ORDERED that, after ascertaining and adding the appropriate

zip codes, the Clerk of the Court shall mail a copy of this Order as well as all future documents requiring service upon the Debtor in this bankruptcy case to the Debtor at the following addresses:

- (1) Elizabeth A. Rohr
a/k/a Elizabeth-Anne: family of Rohr
P.O. Box 292
Roanoke, Texas; and
- (2) Elizabeth A. Rohr #128952
a/k/a Elizabeth Anne: family of Rohr
A-444 Denton County Jail
127 North Woodrow Lane
Denton, Texas.

IT IS FURTHER ORDERED that, in addition to service as designated above, the Clerk of the Court shall mail a copy of this Order as well as all future documents requiring service upon the Debtor in this bankruptcy case to the Debtor at the following address: Elizabeth A. Rohr #1368617, The Woodman State Jail, 1210 Coryell City Road, Gatesville, TX 76528.

IT IS FURTHER ORDERED that, consistent with the preceding paragraphs, the Clerk of the Court shall change the address for service of process upon the Debtor to reflect the new addresses described in this Order in all pending adversary proceedings arising out of the above-styled bankruptcy case.

IT IS FURTHER ORDERED that notice or service on the Debtor at the above-referenced addresses, if said notice or service is otherwise proper, shall constitute proper and sufficient service on the Debtor unless and until the Debtor files and serves an appropriate notice of change of address.

Signed on 6/15/2006



HONORABLE BRENDA T. RHOADES, MD
UNITED STATES BANKRUPTCY JUDGE