

Barry Spencer II
A 121687
1 Administration Road
Bridgewater, MA 02324

October 9, 2013

Clerk of Court
United States District Court
One Courthouse Way
Boston, MA 02210


RE: USA v Barry Spencer
No. 13 mj 1128

Dear Magistrate,

Inclosed for this courts' review in camera ex parte although sent to the US Attorney, please find as follows:

1. Motion to Accept the Indictment for Value and Render Payment in Consideration of Dismissal
2. Surety Bond
3. Letter to Bankrptcy Judge Gerber
4. Motion to Surrender Settlement

I reserve my rights Pro se to have the Court review this issue in camera, to ensure the funds are available even at the pro rata share now or in the future to dissolve this debt and case, I do not expect counsel to argue with the court to purchase the BID, Performance and Payment Bond (Penal Bonds) lodged against this case, his job is to Chase the Constitution, Statutes and Process; It is my job to rosolve my True Bill (basicly, pay my bills).

Barry Spencer II 

Cc file
John Falvey
John Wortman

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

No. 13mj1128RBC

United states

vs

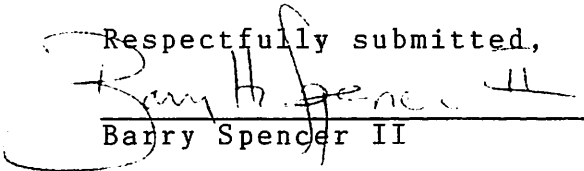
Barry Spencer II

MOTION TO ACCEPT THE INDICTMENT FOR VALUE
AND RENDER PAYMENT IN CINSIDERATION OF DISMISSAL

Now comes the Accused and hereby moves this Honorable Court to dismiss the indictment in lieu of payment for the alleged breach of the Federal Criminal Codes fines, fees, and costs, he accepts the indictment for value and has returned it with consideration to discharge the general assumptsit, albeit not expressed or implied indebitatus assumpsit.

Spencer the Creditor in In re Motor Liquidation Co., S.D.N.Y. Bankrpt. Court No. 09-50026(REG) hereby surrenders his settlement to this Honorable Court for the assumpsit and bail, up to and including \$160,000.00 U.S. Dollars in stock and warrants for the new General Motors, allowed him on a pro rata share, see annexed Surety Bond and Letter to Honorable Gerber and Motion to Surrender Settlement. This Court has jurisdiction to ORDER the Trust Administrator to surrender the Bond in the amount of \$200,000.00 U.S. GM stock and warrants to satisify the debt, BID, Performance and Payment Bonds lodged against this case to resolve the debt to Society.

Respectfully submitted,


Barry Spencer II

CERTIFICATE OF SERVICE

I, Barry Spencer II, hereby certify that a true copy has been sent to both attorneys of record:

John J. Falvey
53 State Street
Boston, MA 02109

John A. Wortman
One Courthouse Way
Boston, MA 02210

I reserve all rights statutory and procedually, and do not concede to to waive any rights or constitutional provisions, especially my right to be heard or the court to rule on my pro se filings.


Barry Spencer II

Dated: October 9, 2013

SURETY BOND

I, Barry Spencer II, hereby Moves this Honorable Court by accepting for value the Indictment and in consideration return the indictment with payment of all fine, fees, and costs in this case and discharge the debt to society, District of Massachusetts citizens in all Suffolk County Cases and U.S. District Court Cases, payment in lieu of dismissal w/prejudice and expungement from record along with a sealed Probation Record, due to the duress and economic hardship based upon the CORI, notibly, I will agree to to Constitution Provisions.

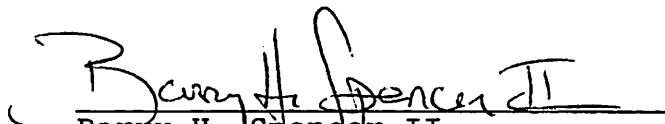
Payment is to be deducted from the Motor Liquidation Company f/k/a General Motors GUC Trust held by Wilmington Trust (Trust Administrators) Rodney Square North, 1100 North Market Street, Wilmington, DE 19890-0001; See In re Motor Liquidation Co., 447 B.R. 198, 2011 LEXIS 684; 54 Bankr.Ct Dec 126 (syllogistic of case and trust), also see annexed Leter to Honorable Robert Gerber, within the Joint Chapter 11 Case No. 09-50026, I Barry Spencer am an unsecured creditor with a \$200,000.00 Settlement, I have received a pro rata share to date valued at about \$39,000.00 worth of GM Securities, albeit liquidated, there remains a balance of \$160,000.00 in warrants which is being offered to offset the Debt or BID or Penial Bond lodged aagainst any and all Charges upon the Board of Probation Record of Barry H. Spencer II, 6/11/69,

for any and all cases Open or closed with delinquent debt payment of Costs, fees, fines, or other in order to expunge them all from the Record of Barry Spencer

The Court should make the assessment of the damages caused by Spencer and submit this Original with assessment to the Trust Administrator, and order the charge on the Record expunged from the Probation Record and the Court Files, dissolving or SEALing the RECORD.

I, Barry H. Spencer II, hereby pursuant to accord and satisfaction allows for the Honorable Court to deduct from my pro rata share of the Motor Liquidation Company GUC Trust Fund to discharge my debt to the citizens of the District of Massachusetts, in any Federal , State Courts.

Oct 9, 2013


Barry H. Spender II

UNITED STATES SOUTHERN DISTRICT COURT
NEW YORK BANKRUPTCY COURT

No. Chapter 11 09-50026(REG)

In re Motor Liquidation Company

Debtor

vs

Barry Spencer II

Creditor

MOTION TO SURRENDER SETTLEMENT

Now comes the Creditor and hereby moves this Honorable Court to ORDER the Trust Administrator of the GUC Trust to hereby surrender the entire remaining settlement for his portion of the GUC Trust, due to his present Economic Duress and Hardship, expressed in his letter to the Court, this in no way prejudices the Debtor, where as they have Securities for the full amount of the allowed and disputed claims, and the pro rata distributions are not made in a timely fashion, e.g. monthly, bi-monthly or quarterly,

Further the March 30, 2011 Plan makes no active contingencies made for the ending of all claims disputed, thus , allowing the payment of the allowed claims in Full here has created an atmosphere of Fraud, rescission or other pursuant to section 510(b) and other



Respectfully submitted,

Barry Spencer 

A121687
1 Administration Road
Bridgewater, MA 02324

Dated Septembet 9, 2013