

UNITED STATES COURT OF APPEALS
DISTRICT OF NEW YORK
NEW YORK

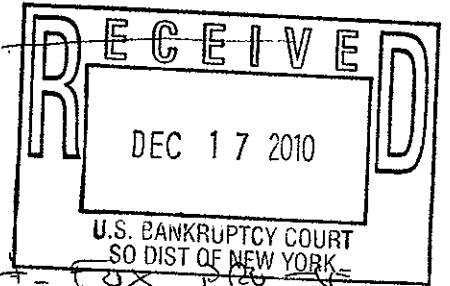
DANA H. FOX, PRO-SE
PLAINTIFF/APPELLANT

V.

NEW YORK SOUTHERN DISTRICT
UNITED STATES BANKRUPTCY COURT
GENERAL MOTORS, INC.
MOTOR LIQUIDATORS, INC. ET AL
UNITED STATES GOVERNMENT
APPELLEES

LOWER COURT CASE: 09-50026 (REG)
CLAIM # 4287

APPEAL #:



NOTICE OF APPEAL
AND MOTIONS

NOW COMES PLAINTIFF/APPELLANT DANA H. FOX, PRO-SE ASKING RELIEF FROM U.S. BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK; IN REGARDS TO THE ALLEGED BANKRUPTCY OF GENERAL MOTORS INC.:

1. GENERAL MOTORS INC IS NOT BANKRUPT; THEY (IT) IS BAILED OUT BY THE UNITED STATES GOVERNMENT.
2. IT APPEARS THAT GENERAL MOTORS INC, THE UNITED STATES GOVERNMENT AND NOW, THE U.S. BANKRUPTCY COURT, MAY BE IN OBVIOUS COLLUSION TO DE-FRAUD DEBTORS; PLAINTIFFS AND SHARE HOLDERS (INVESTORS): MR. FOX PRO-SE PRESENTS THIS ONLY FROM A CAREFUL AND STUDIED, VANTAGE POINT OF FIRST HAND EXPERIENCE
3. THE MOST RECENT U.S. BANKRUPTCY COURT RULING IN AN "OMNIBUS" DECISION SHOWS HOW CONVOLUTED THE POINT OF BEING MOOT [AND CONTRADICTORY TO
A.) THE BANKRUPTCY COURT CLAIMS TO RETAIN JURISDICTION WHEREAS MR. FOX, PRO-SE MOTIONS AS THIS COURT HAS TO TAKE JURISDICTION IN APPELLANT PROCEDURES:

[THERE IS NO SENSIBLE COURSE, OR CAUSE OF ACTION TO DELAY THIS MATTER IN U.S. DISTRICT COURT.]

MR. FOX PRO-SE MOTIONS THE APPEALS COURT TO RECOGNIZE THE RIGHTS OF A PRO-SE LITIGANT; DOES THIS HONORABLE COURT RECOGNIZE THE RIGHTS OF A PRO-SE LITIGANT? AND GRANT LEADWAY.

WITH EXTRA TIME TO RESPOND DUE TO MAIL FORWARDING.

MR. FOX, PRO-SE MOTIONS THIS HONORABLE COURT TO ACCEPT THIS HANDWRITTEN SUBMITTAL AND SUBSEQUENT PLEADINGS AS MR. FOX PRO-SE HAS PROMISED NOT TO USE COMPUTERS AND THE INTERNET (WHICH DOES MAKE EVERYTHING MORE DIFFICULT FOR MR. FOX PRO-SE); AS A TRAVELER, MR. FOX PRO-SE CANNOT FIND TYPEWRITERS OR EVEN WORD PROCESSORS ANYMORE, WHICH DOES NOT HELP IN HIS TRAVEL RESPONSIBILITIES.

THIS IS ALSO A MOTION TO HAVE ~~THE~~ RECORD FROM U.S. BANKRUPTCY COURT TRANSFERRED TO U.S. APPEALS COURT N.Y., N.Y. AND MR. FOX PRO-SE ASKS THE U.S. APPEALS COURT TO ORDER THE U.S. BANKRUPTCY COURT NOT TO SUBSTRUCT JUSTICE IN THIS MATTER ANYMORE.

MEMORANDUM PLEADING TO FOLLOW

I CERTIFY THAT A TRUE COPY IS SERVED BY U.S. MAIL ON THIS DATE 12/11/10 TO:

U.S. BANKRUPTCY COURT AND SMITERS LIQUIDATORS: GARDEN CITY GROUP, INC.

RESPECTFULLY SUBMITTED

DANA A. FOX PRO-SE
DANA A. FOX PRO-SE