



The Remand Was Telegraphed. Now It's Reality. Texas, You're on the Clock.

Description

It's always satisfying when a prediction lands, but this one didn't require a crystal ball—just a half-decent understanding of federal jurisdiction and a nose for corporate stalling tactics.

Earlier this month, [I laid out the probabilities](#): there was a *90% chance* that Cyberlux Corporation's removal of its California case to federal court wouldn't stick. It was a desperate move dressed up as jurisdictional strategy—a bit like trying to escape a speeding ticket by switching lanes and hoping the cop forgets why he pulled you over.

Well, the ruling just dropped. The federal judge saw through the charade and sent the case right back where it belongs: *San Diego Superior Court*. No civil action here, she wrote, just a domesticated judgment under California's Sister State Money Judgments Act—a ministerial process, not a courtroom showdown. Translation? You don't get to re-litigate a state judgment in federal court just because you don't like the result.

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And here's the kicker: the court didn't even wait for a hearing. The March 14 oral arguments were canceled. The judge had all she needed to pull the plug.

This ruling wasn't just predicted—it was provoked.

In a piece I published earlier this month—[Cyberlux Just Shot Itself in the Face. Twice](#)—I laid out how Cyberlux's legal team, in responding to the court's Order to Show Cause (OSC), did more harm than good. By insisting they had fully complied with a settlement agreement despite glaring breaches (including failing to trigger an acceleration clause after landing a major drone contract), they effectively handed the plaintiffs a loaded weapon. And the plaintiffs fired it.

This remand order? That's the wound. It's not just procedural—it's surgical. A direct consequence of Cyberlux doubling down on an untenable position and underestimating both the court and the record.

Which brings us to Texas.

Yes, Cyberlux is attempting the *exact same maneuver* in a separate case recently removed to federal court there. But here's the twist: **the removal in Texas happened on February 12—on the eve of Mark Schmidt's deposition.** That deposition never happened. Instead, we got a courtroom dodge and, a month later, a declaration from Schmidt claiming that a key government subcontract was resolved as of February 27.

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But here's where things go sideways.

If Cyberlux truly resolved a multimillion-dollar drone equipment dispute with HII—a deal involving the U.S. government, final payment terms, and asset delivery—you'd expect a press release. An SEC filing. At the very least, some mention of it in their legal arguments from late February onward. But the first and only time this "settlement" appears is in Schmidt's **March 13** declaration—filed the same day the California judge canceled the OSC hearing and readied her remand ruling. It's an eleventh-hour reveal, conveniently timed to prop up Cyberlux's jurisdictional position in Texas.

And if I may step out of the narrative for a second—because over the years of covering Cyberlux, I've lost count of how many times people have told me things like, *"Lawsuits? So what! Every company gets sued!"* or *"Of course a company can buy a car and invest money."* And in the broadest sense, those statements are true. But that's not the story. The story is in the **timing**. The **context**. The **why now** and **why that**. That's where investors should be looking. That's where the real disclosures live—not always in the filings, but in the patterns.

So, is the HII settlement real? Maybe. But until there's a public confirmation—or even an acknowledgement outside one self-serving declaration—it's just a convenient claim hanging in legal midair. If you truly resolved your biggest federal contract crisis, why keep it quiet?

The California remand should serve as a flashing red warning to the Texas court: don't waste your time. This isn't about diversity jurisdiction. It's about delay tactics. And just like in California, those tactics are coming up against both the law and the limits of judicial patience.

More importantly, if Cyberlux's legal gamesmanship ends up drawing the attention of the federal government—particularly in light of the FMF funding concerns—it won't just be private creditors waiting in line. The taxpayers might show up with questions, too.

So yes, I called it. But more to the point: this isn't just one remand. It's the beginning of a pattern unraveling. The next courtroom to reckon with that pattern? Somewhere deep in the heart of Texas.

And one last thing: Cyberlux's annual report is due on **March 31**—just days from now. When that drops, there'll be a flurry of interest, and possibly a wave of disappointment. Because unless that report contains some answers—about HII, about FMF funds, about how this company plans to outrun its own past—then the silence will only grow louder.

Disclaimer

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