No. ____________________

IN THE

SUPREME COURT OF THE UNITED STATES

Edwin C. Coleman — PETITIONER
(Your Name)

vs.

Carrie M. Ward, Etc. Al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeals For the Fourth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Edwin C. Coleman
(Your Name)

4522 Umatilla Ave
(Address)

Baltimore, Maryland, 21215
(City, State, Zip Code)

443-577-8883
(Phone Number)

QUESTION(S) PRESENTED

1. Whether proper notice to petitioner was given at the onset of the Foreclosure procedure. Notice was sent to an address not known to be petitioner's mailing address at the onset of the Foreclosure procedure, in violation of his 14th Amendment Right to Equal protection and due process of law.

2. If both the petitioner in this case and the counsel for the defendant both make a request for a hearing under local Rule 105.6 of the Maryland Code should not a hearing be held or at least the requests be addressed as part of the 14th Amendment protection against deprivation of property without due process of law.

3. Did respondents have standing to foreclose on a property whose supposed owner of the note was Fannie Mae when no signature of Fannie Mae's Board of Directors appears in the Court Records that transfers such power as substitute trustee to the respondents.

4. Does failure to comply with Government Guidelines in a contractual Agreement for funds or monies issued in lieu of those guidelines, reach a height of violation of Due Process of law and Equal Protection under the law when the governments interest in the process is not met, by not following the guidelines.

LIST OF PARTIES

[ ] All parties appear in the caption of the case on the cover page.

[✓] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Seterus, Inc.

Fannie Mae

TABLE OF CONTENTS

INDEX TO APPENDICES

TABLE OF AUTHORITIES CITED

IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[ ] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix ______ to the petition and is

[ ] reported at ______________________________; or,
[ ] has been designated for publication but is not yet reported; or,
[X] is unpublished.

The opinion of the United States district court appears at Appendix ______ to the petition and is

[ ] reported at ______________________________; or,
[ ] has been designated for publication but is not yet reported; or,
[X] is unpublished.

[ ] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix ______ to the petition and is

[ ] reported at ______________________________; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

The opinion of the ______________________________ court appears at Appendix ______ to the petition and is

[ ] reported at ______________________________; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

JURISDICTION

[ ] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was April 20, 2018.

[ ] No petition for rehearing was timely filed in my case.

[X] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: May 30, 2018, and a copy of the order denying rehearing appears at Appendix ______.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including ______ (date) on ______ (date) in Application No. __A______.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[ ] For cases from **state courts**:

The date on which the highest state court decided my case was ______. A copy of that decision appears at Appendix ______.

[ ] A timely petition for rehearing was thereafter denied on the following date: ______, and a copy of the order denying rehearing appears at Appendix ______.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including ______ (date) on ______ (date) in Application No. __A______.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S. Constitution, Amendment XIV, All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law;

United States Code 12-5201 Purposes; The purposes of this chapter are (1) to immediately provide authority and facilities that the Secretary of the Treasury can use to restore liquidity and stability to the financial system of the United States; and (2) to ensure that such authority and such facilities are used in a manner that - (A) protects home values, college funds, retirement accounts, and life savings, (B) preserve home-ownership and promotes jobs and economic growth; (C) maximizes overall returns to the taxpayer of the United States; and (D) provides public accountability for the exercise of such authority.

United States Code 12-5219 Foreclosure mitigation efforts; (A) Residential mortgage loan servicing standards (1) In general - to the extent that the Secretary acquires mortgages, mortgage backed securities, and other assets by residential real estate, including multifamily housing, the Secretary shall implement a plan that seeks to maximize assistance for homeowners and use the authority of the Secretary to encourage the servicers of the underlying mortgages, considering net present value to taxpayer, to take advantage of the HOPE for Homeowners Program under section 1715z-23 of this title or other available programs to minimize foreclosures. In addition the Secretary may use loan guarantees and credit enhancements to facilitate loan modifications to prevent avoidable foreclosures.

Maryland Real Property Code 5-103 Assignment, grant, or surrender of interest in property No corporeal estate, leasehold or freehold, or incorporeal interest in land may be assigned, granted, or surrendered, unless it is in writing signed by the party assigning, granting, or surrendering it, or his agent lawfully authorized by writing, or by act and operation of law.

STATEMENT OF THE CASE

The petitioner in this case filed a civil case in the U.S. District Court for Maryland on June 26, 2017 citing violation of his Constitutional right to Equal Protection Under The Law and Due Process of Law. The Respondent in this case did not give the petitioner notice of a foreclosure procedure by intentionally mailing notice to an address that petitioner did not reside although it is public knowledge and on record where he resides. The Respondents so called availed themselves the opportunity of petitioner to keep or save his property but again mailed the information to an address they knew petitioner did not reside at. The respondents appointed themselves trustees in a foreclosure procedure for the Housing Entity known as Fannie Mae, yet no signature of a Board of Directors of this entity appears on record as transferring any authority of the respondents to represent it in a foreclosure procedure. On July 19, 2017 petitioner filed an amendment to his original complaint along with exhibits supporting his claims as per order of U.S. District Judge Frederick Motz. On July 5, 2017 petitioner was granted pauper status, along with other instruction to comply by the U.S. District Judge J. Frederick Motz, to with the petitioner complied on July, 19, 2017. On August 4, 2017 petitioner refiled a U.S. Marshall Service of Process Form, that the U.S. Marshall could effect service on the respondents, and on August 14, 2017 service was effected on the respondents. It must be noted that all of the preceding process was effectuated under the Authority of Judge J. Frederick Motz instruction and legal expertise, though no formal hearing with testimony has been held in either State or Federal Courts. On September 6, 2017 the Clerk of the U.S District Court notified petitioner that he had 17 days to respond to a motion to dismiss / summary judgment by the respondents and on September 19, 2017, petitioner filed his response with the court. On October 31, 2017, a U.S. District Judge Catherine C. Blake, came out of nowhere, dismissing the instructions that I had followed to the letter by a previous U.S. District Judge and granted the respondents motion stating it was difficult to discern my claims though it was obvious that the property was being foreclosed on illegally.

It seems as though Judge Blake is making mockery of the written law and imposing her own. It's ironic that her ruling would be on Halloween but really the joke is on her not me because I don't believe in that foolishness. Her whole memorandum is just a rant that anyone can put on paper but the reality is, is it TRUTH. I, the petitioner says that the whole process is/was VOID from the inception due to fraud and misrepresentations and I can prove it with the record in this case at a hearing that takes and gives testimony and real evidence not just words on a piece of paper. On November 27, 2017 petitioner filed a Motion to Alter or Amend the Judgment which was denied on December 5, 2017. By January 2, 2018 Notice of Appeal was docketed in the United States Court of Appeals for the Fourth Circuit and the Informal Brief Received and Filed in the court on January 25, 2018. On April 20, 2018, The Court of Appeals Affirmed the District Court decision and a Petition for Rehearing En Banc was filed on May 4, 2018 in that court and subsequently denied on May 30, 2018 and thus this petition. The question remains is there justice to be had in this system or is my justice combined in the JUSTICE that is in the WRATH of Almighty GOD as ~~HE~~ ravages this evil system with the forces of nature from coast to coast here in Babylon, I mean America and around the world. And as for the relevance of God, Justice, and Judgment, He is present in the World and your life is a stake. Every knee shall bow.

REASONS FOR GRANTING THE PETITION

The U.S. Court of Appeals For the Fourth Circuit has entered a decision that is in conflict with the United States Court of Appeals For the Third Circuit. The respondents in this case did not prove standing to Foreclose, as transfers of a supposed note were not accompanied by indorsements Firmly Affixed to the Instrument. See Adams v. Madison Realty & Development Inc., 853 F.2d 163. The respondents did not represent at the time of Filing the Foreclosure that they were in possession of a Note with indorsements Firmly Affixed to it, giving the substitute trustees standing to Foreclose, nor does the record reflex that the supposed original holder of the note (Fannie Mae) attached or Affixed endorsement to any subsequent supposed holder of the note or trustee (Residential Mortgage Solutions, Inc), MERS, (Mortgage Electronic Registrations Systems) the supposed original trustee or Seterus, Inc., one of the many servicers on the supposed note or right to enforce the supposed note. The Court of Appeals for the Fourth Circuit and the Maryland Court of Special Appeals and Maryland Court of Appeals conflicted with It's own decision in Anderson v. Burson 424 Md. 232, 35 A. 3d 452 (2011). Substitute Trustees, Ward, et al, are/were not the holder of the supposed note and therefore had to prove every prior transaction through which they acquired purported nonholder status of the supposed note. The petitioner has contested the respondents standing to Foreclose in every opposition to any claim the trustee made in every court on all occassions to no avail. The citizens of the state of Maryland have been and continue to be Fraudulently Foreclosed on their properties through a system of Money over Real Justice, service to its citizens, and lack of duty to itself and the chaotic conditions it is Forcing itself into.

The U.S. Supreme Court should grant this petition because the lower courts have violated petitioner's 14th Amendment Constitutional rights to Due Process of law and Equal Protection Under the Law. Maryland Code, Commercial Law 3-203(b) provides that a tranferee cannot acquire rights of a holder in due coarse by a transfer, directly or indirectly, from a holder in due course if the tranferee

Engaged in fraud or illegality affecting the instrument. The lower courts also failed to enforce Maryland Real Property Code 5-103 concerning the assignment, grant, or surrender of interest in real property.

The opinion of the lower courts (i.e. U.S. District Court of Maryland) (U.S. Court of Appeals for the Fourth Circuit) conflict with the decision of the U.S. Supreme Court and other Courts of Appeal, and the conflict was not addressed. A basic concept is that "the mortgage follows the note." This was pronounced by the Supreme Court of the United States in 1872 in Carpenter v. Longan, 83 U.S. 271, 274 as follows: the note and mortgage are inseperable, the assignment of the note carries the mortgage with it, while the assignment of the latter alone is a nullity. "Any mortgage assignment without the note makes both instruments null and void. The conflict was not addressed in the lower court because an affidavit and a fraudulent copy of a note is not evidence of an original note, yet thates what the lower court relied upon, and the panel that sat in this matter relied upon the erroneous conclusion of a conflicted district court. The court's conclusion that the trustees had in their possession the original note is totally outside the scope of established law. Copies and conclusions are not acceptable. The record will reflect that this petitioner requested proof of the possession of the original note. What the trustees/respondents reveal as a copy of the original note was disputed as an outright fraud by this petitioner. Federal Courts have ruled that the only way to prove perfection of any security is by actual possession of the security. See Matter of Staff Mortgage & Investment, Corp., 550 F.2d 1228 (9th Cir. 1977). Unequivocally the Court's rule is that in order to "prove the instrument," possession is mandatory. In addition to the note, another element of proof is necessary - an accounting that is signed and dated by the person responsible for the account. See GE Capital Hawaii, Inc., v. Yonenaka 25 P.3d. 807, 96 Hawaii 32 (Hawaii App. 2001), Fooks v. Norwich Housing Authority, 28 Conn. L. Rptr. 371, (Conn. Supr. 2000), In the District Court's memorandum it states * plaintiff's underlying complaint seems to be that defendant is not in possession of the original note that he signed. It appears from an affidavit and attachment filed by the defendant in its reply that in fact, defendant is in possession of the note. Firstly petitioner must state that he did not say or state that he signed any thing, why would I state that to evidence that I have continually stated was fraudulent and forged. Next, in accordance with established law in the 9th and 5th U.S. Circuit Courts of Appeals, an affidavit and attachment is not sufficient to prove and recover on a promissory note. See In re SMS Financial LLC v. Abco Homes, Inc, No. 98-50117, Feb. 18, 1999 (5th Cir. Court of Appeals).

The U.S. District Court of Maryland and the U.S. Court of Appeals for the Fourth Circuit opinion conflicts with a decision of the U.S. Supreme Court, that rises to a Constitutional Level. The fact that Due Process of Law and Equal Protection Under the Law was not upheld or applied in this case. The U.S. Supreme Court has consistently held that some kind of hearing is required at some time before a person is finally deprived of his property. Wolff v. McDonnell, 418 U.S. 539, 557. See also Anti-Fascist Committee v. McGrath, 341 U.S. 123, 168. The requirement for some kind of a hearing applies to the taking of private property, Grannis v. Ordean, 234 U.S. 385. No hearing was held is this entire process which voids the process. The hold foundation of the foreclosure procedure was based on assumptions by the lower courts that were challenged by this petitioner to be fraudulent representations that did or did not occur in this matter.

All correspondence from the onset of this procedure was mailed to the wrong address, 2518 Mosher St, Baltimore, Md. 21216, a fact and place that the trustees/respondents knew that petitioner did not reside, violates the NOTICE requirement of the 14th Amendment to the U.S. Constitution. The record in this case will reflect that the original documents in this cause were sent to an address where petitioner did not reside and it will also reflect that any so called opportunity the respondents would afford the petitioner to engage in, with regards to its' obligation to the U.S. Government was also mailed to the incorrect address. The touchstone of due process is the protection of the individual against arbitrary action of government, Dent v. West Virginia, 129 U.S. 114, 123.

Consideration of what Due Process may require under any given set of circumstances must begin with a determination of the precise nature of the government function involved, as well as of the private interest that has been affected by governmental action." Ibid.; Morrissey, 408 U.S., at 481. The government in this case HAMP set out guidelines for loan providers and servicers to adhere to in the language of shall and must to potential banks and agencies that chose to participate in their Making Homes Affordable Act. The government did not twist any arms or break legs or force participants to participate. The government used citizenry monies (taxes), to help these failed institutions revive there livelihood. The appointed trustees, so called, in this case represent one of those participants in that program in this case, yet no measure of due process can or could be established for the governmental or private interest because no hearing of admissible evidence has been established because no evidentiary hearing has been held

As to the courts assertion of [L]itigiousness, that alone will not support an injunction against a plaintiff, the use of such measures against a pro se plaintiff should be approached with caution. Pavilonis v. King, 626 F.2d 1075 In re Oliver, 682 F.2d 443, 446

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

[signature]

Date: August 20, 2018