

This is the description of my case only
for your review.

Thank you.

IN THE SUPREME COURT OF VIRGINIA

In Re. PAMELA L. SOUTHALL,

February 13, 2018

REPLACEMENT PETITION FOR A WRIT OF MANDAMUS

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I Pamela L. Southall reside in the City of Chesapeake Virginia. I am a citizen of the United states of America and a legal voter of the State of Virginia.

I am declaring under oath that I am constructing this WRIT OF

MANDANMUS to the best of my ability and capacity. I pray that the Court please not hold me accountable based on an incapacity that I may possess as it pertains to the ability to understand the Laws of the Commonwealth and our country.

I am aware that I am a PETITIONER AND IS ENTITLED TO A WRIT OF MANDANMUS under the laws of this Government to the Virginia Supreme Court.

I seeking remedy of a emergency of a writ of mandamus of relief the circuit orderCL17-1064 respondent Judge, Wright,

STATEMENT

I am asking for an immediate relief of a decision of Judge Wright, Circuit Court of Virginia to a Writ of Possession of my residence in the city of Chesapeake. The court's decision did not protect my Liberty and Rights to continue to pursue peace and happiness, that is entitled to all of the citizens of the United States of Ameica. My 5th Amendment Rights of the Constitution of the United States have been Violated. My Civil Rights have been violated. I was denied to have the right to have legal representation to defend my liberty or property and equity to prevent Indegency, and physical harm to my health and wellbeing. I was not allowed to present evidence of discovered Financial

Consumer Fraud that would have prevented an unlawful detainer or a writ of possession.

ARGUMENT

I am a common layperson has that has not had the experience of a “Skilled Counsel” Attorney that is need to execute basic advocacy functions: to delineate the issues, investigate, conduct discovery, present factual contention in an orderly manner, cross-examine witnesses, make objections and preserve record for appeal, knowledge of the rules of the Court discovery rules and techniques.²⁶ The common layperson has not had this experience. “Skilled counsel is needed to execute basic advocacy functions: to delineate the issues, investigate and conduct discovery, present factual contentions in an orderly manner and cross-examine witnesses. Pro se litigants cannot adequately perform any of these task.

I tried to turn to legal aid offices, and they replied that they were understaffed to handle my case due to the complexity of the case. Studies have shown that low-income experience at least one civil (not criminal) legal problems each year. The United States Courts are overwhelmed with civil and consumer issues. This makes

more citizens having to appear Pro'se and possible risk of losing their life and liberty.

If I were allowed I would have presented evidence of recently discovered Fraud of violation of my Civil Rights Undue Influence, Undue Financial Inducement, and Civil rights Violations. There was also a family Trust violation and undue influence to my father and my self that placed us in a devastation with our home, My father's Trust, his elderly Rights, and inducement to allow him to damage the family trust that he was incapable of handling. I was not allowed to present documents to prove his capability to handle the affairs of his trust, and he has not been capable for over two years. This incapacity caused a great deal of harm; however, his elderly Rights were violated by financial instructions and consultants that harmed both of us to participate in a business to profit. Acts of duplicity were performed which were discovered by DODD-FRANK and are currently investigated and regulated by the CFPB.

I have been working diligently with the Virginia Attorney General's office to help investigate the foreign corporations that are practicing fraudulent, deceptive and abusive consumer violations in the Commonwealth of Virginia. Unfortunately, the State does not have currently the laws in place to help these types of serious

violations. We were all working together to try to prevent future harm to other consumer's and citizens of the Commonwealth.

Again acts of duplicity and undue influence from Services and Bank allowed unauthorized Trust and Powers of Attorney to be entered subsequent to other valid Powers. These powers and Trust documents were contracted in another State outside of the Residence in Virginia. I have evidence that the Servicers committed unfair collection practices and fraudulent acts to take advantage and harm our family and me. They will not produce documents to support the borrower or the surers of the borrower or the loan.

I worked on investigating this situation around the clock for over a year, to try to unveil the deceptive acts to preserve our residence.

I have documents LLC documents of Rights of equity and co tenant. Per the Home insurance this home is to occupied at all times. The servicer informed me that the owner is to live in the house

The Plaintiffs attorney, error to the court with notification error by not faxing me court documents per their acknowledgment. I requested an emergency continuance

via phone Conference with one Re of the circuit court due to the illness of my father and that he could not fly into town. Per my sister. She never claimed that she was coming until after I asked for the continuance and she appeared with a statue from Texas that the trial Judge Ruled not reciprocal to Virginia Law. My father signed a avadavat that was invalid and the Judge asked why was he not present? The Attorney for the Plaintiff then acknowledged that my father was in the hospital; I was not informed until that very moment. The Plaintiff asked for a continuance and was granted, I was not by the original Judge. This Judge replace the previous Judge the very next day after I was denied the first continuance.

I was also denied a second time to continue the case when I found a pro bono Attorney to appear for me. He was unable to attend the trial on the day of court. He requested a continuance to the Re of Circuit Court of Chesapeake. I will swear by affidavit and oath that I let my sister know that I had obtained attorney and that he had asked for a continuance. She acknowledged that she was visiting her daughter in College and that she had not been informed of a request by the plaintiff's (my father) attorney . That means that Attorney Giordano had not asked my family for the continuance, He denied it on his own. These types of actions cause dissention within the family. My sister also advised that my father would not be video conference. This was witnessed, and he appeared on a video in the

court. These are acts of deception and would lead some one to believe that unfair acts are being performed.

My sister never put any money toward any payments or signed any documents pertaining to this home.

My father, Henry M.Southall, Plaintiff (90 years old) was placed on a video in a Texas Hospital Bed. The audio was not working on the court;s system. Attorney Giorgano, for the plaintiff hooked the video via his cell phone. My father could not hear the proceedings and it was evident that he could not hear or understand the questions. I objected and was overruled to this process. I do not believe that I can receive a copy of a valid video of this witness testimony.

The bailiff also before e hearing asked the Plaintiff attorney to come inside the court room, He asked the bailiff if I could go as well because I was Prose? The bailiff denied my entry into the court with the opposing party to represent. I raised this procedure to Judge Wright and he made sure that it would be added to the court record and court reporter.

I also have evidence that I have had utilities shut off at the home and I have made request via email to my father's accountant regarding these matters. Per Virginia codes these necessities were not to be shut-off.

I also gave the information to the court from a FOIA document that discovered a conversation with The City of Chesapeake Administration discussing my civil case with The Chesapeake Health Director , this document also contained HIPAA violations and privacy violations. The Administrators are The leaders of the city, on the grounds of the court with FOIA information regarding the case inscribed and was electronically submitted PHI with unredacted personal information and discussions of a circuit court case information.

There were also unrecognized documents of affidavit presented, Documents that my father, Plaintiff could not identify. I have also requested that my sister provide me with any letters of competency from the physician regarding my father. She claimed on several occasions that she would provide the information; however, I have not receive them.

My father's Trust document and my Power of Attorney was never allowed to be submitted for record. I offered it to Judge Wright. I also had my father's medical document acknowledging his incapacity to handle his trust, since 2015.

I had a witness that was famiy who testified under oath at the first hearing from out of town. Lita Samrai, my first cousin who has known my father for 54 years acknowledged her perception of my father capabilities, based on her conversation's with him and the years of knowing him. She also witnessed to his hearing. The Judge allowed her testimony to sustain when opposing counsel objected.

AUTHORITY

Federal Government Consumer Financial Protection Bureau....

Attorney Generals office of the State of Virginia

Constituion of the United States of America	5 th amendment.....
8.01 codes of Virginia Supreme Court.....	
FOIA.....	
BB and T Mortgage.....	
Select Portfolio Service.....	
Virginia State Corporation Commission.....	
Office of Civil Rights.....	
Virginia Department of Social Services.....	
Virginia Department of Human Service.....	
Virginia Department of Health.....	
City of Chesapeake.....	
Chesapeake City Attorney.....	
Wells Fargo Bank.....	
Federal Bureau of Investigations.....	
US Attorney 4 th circuit of Virginia.....	
OCC.....	
SEC.....	
Legal Aid of Virginia.....	
State Delegates.....	
Congress.....	

Chesapeake City Council.....

Chesapeake Water Authority.....

Chesapeake Health Department.....

Seton Hall University Law

Virginia State Bar Association.....

CONCLUSION

I am prayerfully asking that you grant relief to stay the order of Writ of Possession from the Circuit Court ordered by Judge Wright. This order will remove my rights of Life and Liberty. I have had to file for Virginia Social Service and I am fatigued, have physically declined with weight. My water has been shut off nine times over a leak policy errors and violation of my civil rights. This relief would allow me to enjoy my right s to liberty and justice for all. I pray that my situation will prevent these types of acts of deception and fraud from harming the other citizens of the Commonwealth who may be facing loss of liberty rights and rights from fair justice.

I prayerfully ask that this Court grant my Petition for a Writ of Mandamus relief from the Circuit Court of the City of Chesapeake as a remedy for this emergency disaster, I have also been made know that this house is not in foreclosure. Nor have been notified of any foreclosure. The servicer is calling my home and wants to work with some one in the family; however, they claimed that my sister took my name off the authorization. Please allow this process to stay while review of the evidence to the Supreme Court.

This writ permits the respondent to respond to this petition and any amendments to be submitted to the Supreme Court and to the Respondent, Judge Wright

Respectfully Submitted by to The Supreme Court of Virginia for filing per 8.01-644
In Re. Pamela L. Southall

Certify deliver to Respondent,
Judge Wright
Chesapeake Circuit Court
307 Albermarle Drive
Chesapeake Virginia 23322

Mail copy to Attorney for the plaintiff Greg Giordano