
NO. 19-5147

IN THE
SUPREME COURT OF THE UNITED STATES

FLORDELIZA A. HAWKINS

Petitioner

v.

SUN TRUST BANK, SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES

ANDERSON COUNTY SHERIFF OFFICE.

Respondents

BRIEF, WHY CERTIORARI MUST BE GRANTED? WHEN THE CAUSE AND FACT
ARISES TO THE 14TH AMENDMENT, 11TH AMENDMENT AND TEN BILL OF RIGHTS
THE SUPREME COURT THE HIGHTEST COURT HAS JURISDICTION TO RULE IN
ACCORDANCE TO APPLICATION OF LAW IN THIS COUNTRY.

Respectfully Submitted this 1st September 2, 2019

By: *Flordeliza A. Hawkins*
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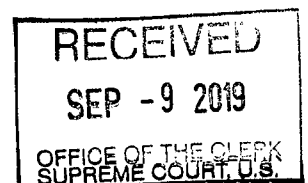


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Statement of the Case

It relates to the eviction of January 15, 2013 in the house that me and my dying husband, at that time owned and living in that house, at 2130 Cheddar Road Belton, South Carolina 29627 county of Anderson South Carolina. for more than 30 years. Under the Tucker Act, Sun^{TRUST} Bank, HUD, South Carolina Department of Social Services and Anderson Sheriff's Office their actions is unconstitutional, either express or implied direct or indirect contract under the government sponsored foreclosure all of them has violated the Equal Justice Under Law that has influenced the American legal system. It is base on the 14th Amendment Jurisprudence.

HUD, the Department of Housing responsible for the rules and laws that govern the Housing Department of this Country, Under the Tuckers Act had they complied to the rules and laws on Housing before I was evicted?

For Sun Trust Bank, had they violated the contract, me and my husband signed? Yes either the contract is express, or implied through their service from HUD they had so much violation because the contract to begin with is unenforceable, the contract on its face is not to enforce unless I break the clause of the contract like I sold it without their knowledge or anything that had expired the date of the contract, but here I am the money I borrowed I used it in my restaurant business in 2006 that I closed it in 2009 because is not making the money anymore, and I filed it and claimed it in our Income Tax return as insolvent. Since there is a law under that no matter you used the money for business or pleasure, the laws under is forgiven. Here I am I used the money in my business and declared it as loss and Sun Trust takes my house and sold it without my knowledge and evicted us with my bedridden dying husband on that day of winter raining January 15, 2013, that Sun Trust Bank had no legal rights whatsoever because the contract is unenforceable by laws, it protects all citizen of this country of their ten Bill of Rights, as enumerated and the 14th Amendment of the constitution. As such is Sun Trust Bank is accountable for damages on injury, I am suffering that by law must recognized.

For South Carolina Department of Social Services, had the violated my rights in administering their rules in their department? Yes, they did because at the time of the eviction I show them my Power of Attorney that I have the authority authorize by law signed by my husband submitted on my complaint under sealed as a proof

of my complaint that I have the choice because my husband is being taken care of with my own money spend to pay my caregiver Jocelyn Velasco and Maya Velasco , as well as all the nurses that comes every three days and physical therapies twice a week , the Williamston Rescue Squad to carry to the dialysis center , everything is in schedule and I had never neglected or abuse my dying husband why the South Carolina had to take control on my husband had they violated my civil rights? Yes they did the proof and the laws that govern my civil rights and the 14th amendment of the constitution as such they are accountable for damages I sustained through the violation of my rights. The proof is submitted also to the VA because my husband was a Veteran, just in case about the money I spend was documented in the VA file. The violation of my Civil Rights had cause so much that by laws must recognized and compensate the pain and suffering I had gone through that injury by laws must remedy for relief.

For Anderson County Sheriff's Office, they violated the bill of rights on eviction because, they violated the 4th amendment and the 14th amendment of the constitution. They have nothing to search and seize because the contract is unenforceable, they have no rights to take over and put my bedridden and dying husband out in the rain force him out in our own house that we owned and is living in for more than 30 years, their papers or documents is nothing and they are suppose to know the laws because that is their job in every facet of details in laws the law enforcement should be familiarize of a certain action that they should do and not to do, are they ignorant of the 14th amendment? Are they also ignorant with the search and seizure? How the document contains and a common sense not alienable to every officer in performing their duties as a sheriff of the county of Anderson South Carolina. As such the Sheriff's Office to their discretion if their employees lack of knowledge in administering the laws, is not and excuse because 11th amendment does not protect immunity of government official or individual on their capacity. 11th amendment has revised the constitution after the ratification of the first ten in Bill of Rights. 11th amendment does not say anything about lawsuit that are brought to the court by citizen against his or her own state however in 1890 the supreme court talks about the privilege behind sovereign immunity and that these cases could not be brought forward. In Supreme Court case the eleventh amendment to say suit against official who are acting as representative of the state can be sued in Federal Courts but only if the states act unconstitutionally.

The states are responsible for the administration of this programs required to operate them in compliance with the Federal law. Beneficiary may have a claim in Federal Courts if violates Federal directive in administration or denial of benefits, prohibiting discrimination based on gender, disability, race or age and etc. To remedy the violation of Federal laws and aggrieved may seek relief from state or Officials under the supremacy clause of the United States Constitution, states laws, or action violating Federal law are invalid as a safety net and Civil rights statues

The Bill of Rights is the first Amendment it guarantees Civil Rights and liberties to individual like freedom of speech press , religion and etc., it sets rules for due process of law and reserve all powers not delegated to the Federal government to people or states. And specifies that enumeration in the Constitution , of certain rights, shall not be construed to deny or disparage others retained by the people.

First Amendment freedom of Speech, and etc.

Second Amendment keep and bear arm

Third Amendment prevent government from forcing homeowners to allow soldiers

Fourth Amendment Unreasonable search and seizure

Fifth Amendment Protection of people accuse of crime without due process of law

Sixth Amendment Speedy Public trial

Seventh Amendment right to a jury trial

Eight Amendment excessive bail and fines unusual punishment

Ninth Amendment listing specific rights in the constitution does not mean people do not have other rights

Tenth Amendments says that Federal government has those powers delegated in the constitution, if it isn't listed it belongs to the state or to the people.

Conclusion

For the reason that exists in the application of laws my petition must not be denied for review to resolved the issue by applying the laws that govern my case, that relief and remedy exist for damages ,I am suffering due to the violation of 14th

Amendments and first 10 Amendments of bill rights , and the 13th Amendments of my Civil rights, as well as the Tucker Acts 28 U.S.C 1491 in enforcing the contract that is unenforceable. Violates the statue. If they counsel of the respondents could not identify the correct address which makes delay on the mail by dragging how much more accurate in their defense? I respectfully request the court for review of my facts and evidence presented previously under sealed and to apply the laws and get the relief and remedy for damages that injury by law must recognize.

Respectfully Submitted this 3rd of September 2019

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