

19-5849 ORIGINAL  
No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Supreme Court, U.S.  
FILED  
JUL 01 2019  
OFFICE OF THE CLERK

\_\_\_\_\_  
SARA ELYAS — PETITIONER  
(Your Name)

Edward Andrew Johnston, VS.  
shane jason sherman marilyn louise  
moss, shania marie farquhar & chad russell farquhar  
Auto-Owners insurance & progressive michigan insurance company — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

\_\_\_\_\_  
States Court of appeals  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

\_\_\_\_\_  
SARA ELYAS IN PRO PER  
(Your Name)

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\_\_\_\_\_  
LANSING MI 48917  
(Phone Number)

QUESTION(S) PRESENTED

I AM ASKING US SUPREME COURT to review my case  
because the state court by mistake decided.  
Without my knowledge the defendant Auto  
owners insurance company Attorney changed my  
mailing Address to 124 West ALLEN St Suite 100  
LANSING MI 48933. and without my knowledge  
they added a Lawyer in my case. This Lawyers name  
is TIMOTHY D. VAN DEN BERK,  
250 MANROE AVE NW Ste 400  
GRAND RAPIDS MI 49503  
I did not receive any notification, Letters for this  
12-8-2017 to: AM ~~this~~ deposition. That is why  
my case it was dismissed technical by defendant  
I want this supreme court to hear me and  
get back my case.

PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS.  
MOTION FOR CERTIORARI to US COURT OF CLERK

I AM ASKING US SUPREME COURT to review my case  
The jurisdiction of the SUPREME COURT to review decisions of the state courts is presently codified in

28 U.S.C. 1257 (a). it is the direct descendant of section 25 of the Judiciary Act of 1789. Various amendments to this statute have been made from time to time, the most recent being the Act of June 27, 1988, 102 Stat. 662. That Act abolished the last remnants of the "appeal" path, a path formerly led to mandated Supreme Court review of many final state court judgments that involved federal issues. Now all those who seek such review must follow the "certiorari" path, the path that leads to review only of those relatively few cases that the Court - in its discretion - wishes to hear and decide on the merits. See -  
from 1257 now reads

## 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:

### RESPONDENTS

EDWARD ANDREW JOHNSTON  
SHANE JASON SHERMAN and MARILYN LOUISE MOSS  
SHANIA MARIE FARQUHAR and CHAD RUSSELL Farquhar  
AUTO-OWNERS INSURANCE & PROGRESSIVE MICHIGAN INSURANCE COMPANY

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For cases from states courts:

The state court of appeals decide my case was February 14- 2018

The 2d state court of appeals decide my case was September 19 2018

The sate tril court decide my case was JANUARY 10 2018

THE 2d state tril court decide my case was February 28 2018

The State SUPREME COURT DENIED MY CAS WAS APPL.

4/2/2019

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,  
☐ 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,  
☐ 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 Law Court 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 \_\_\_\_\_.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals 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. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was September 19-2018.  
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

presently codified 28 U.S.C. 1257 (a) it is the direct descendant of section

28 U.S.C. A 1652

## STATEMENT OF THE CASE

Without my consent and knowledge the defendant Auto owners insurance company lawyers ~~officer~~<sup>to defend</sup> has changed my mailing address so that I didn't get any correspondence (including this case) to my physical address.

June 21, 2019

Re:

My case was dismissed on January 10, 2018 at \_\_\_\_\_ by \_\_\_\_\_ because the defendant attorney said that I missed the deposition on December 8, 2017 at 10AM.

However, with regards to receiving the appointment, I did not receive the notification of deposition because the defendant attorney had changed my mailing address to his office at 124 \_\_\_\_\_ so that I would not receive my mail.

Therefore, I did not receive any notification of deposition for the December 8, 2017 appointment at 10AM. There is no reason why I would not show up to resolve my case and to solve the problem that I am still suffering with.

I have been present at my other deposition appointments in the past, like the one on July 19, 2017. At that time, I had received notification, and I was present for the deposition that ended from 1PM to 5PM.

I am asking this high court to look at my case and the decision by the lower court to dismiss my case and guarantee my case. I do not think that my case should be dismissed because of the reason that the defendant provided. I did not receive the notification. The lower court decision was wrong. They have not heard my explanation.

I need a resolution to my case, and I hope that this higher court will look at and to reconsider my case. This is my writ of certiorari so that my case is reviewed.

No.  
In the

The Supreme Court of the United States

Relief Sought:

Dismissed case to be reopened and forwarded back to the state of Michigan for Hearing:

Brief:

A lawyer was assigned to my case representing me without my explicit representation. I was not informed in any way shape or form. They recorded the mailing address of the above referenced lawyers office as my address and all correspondences were sent to that address. The defendant filed to the court for deposition for December 8, 2017. I did not receive a notification letter about this deposition at all at my actual address. Because I was not informed about the deposition, I was not able to attend it and the defendant claimed that I failed to appear for the deposition and submitted a motion to dismiss my case to the court. The court accepted the motion and dismissed my case on January 10, 2018. A hearing date for the witnesses was scheduled for March 14, 2018 and degree of my permanent disability and mediation hearing was scheduled for March 21, 2018. In addition a decision for the case was scheduled for June \_\_ 2018. All these three future legal procedures were canceled as the original cases was illegally and unfairly dismissed. I therefore the petitioner kindly request the Honorable Supreme Court Judge to review the case, examine the evidences submitted and order the dismissed case to be reopened, reinstated so that I would the opportunity argue my actual case and get legal relief.

Back ground:

The beginning of this case was filed by Attorney Frank A Fisherman. Apparently, Mr. Fisherman had relation with progressive insurance company lawyer. He sided with the insurance company lawyer. He sided with the insurance company and dropped not to be Attorney for the case without giving me tangible reasons. After this day the lower court judge gave me 60 days to find another lawyer. I tried to find another lawyer in Michigan. When I talk to new lawyers, they ask me to tell them the information about the lawyer who filed the case first, because they need more information from the previous attorney. I gave them the name and phone numbers of attorney Fisherman. However; when the new lawyers ask for information, Mr. Frank A Fisherman was not willing to give him ~~new~~ information. He was acting as though he was working for progressive insurance company. He was working against me. He was not helping me. Attorney Frank A. Fisherman did not act as my Lawyer. In fact, he persuaded the other lawyers not to take my case.

Sin in pro per myself from the beginning, Mr. Daniel G. Collison and Mr. Joseph R. Enslen, lawyers of Progressive Insurance Company were trying to dismiss my case. Progressive was using five different lawyers but systematically preventing me from having a lawyer. (And they have a lot of friends from Lansing from the government and everyone including Doctors from the Hospital were siding with them). Since the time, I started to motion the case, my auto owner insurance company sent my letter asking me to appear for deposition. The documents included 200 questions. I could not find anyone in Lansing to help me to answer questions as the insurance company was not cooperative. I had to take the document to Chicago and found some people and I was able to answer all the questions. One document was from auto-owners and the other one from progressive. I answered all the interrogatories and requests and sent it all by fax and fax and by mail.

After that, both of the insurance companies sent me letters to appear for deposition and bring supporting documents for claims for wage loss (including disability sips), medical mileage, replacement services, attendant care services, and unpaid medical bills including copies of any notices of liens from any medical institutions and providers. The defendant insurance company was scheduled for deposition on July 18, 2017 at 1:00pm at 124 West Allegan Street, Suite 1000, Lansing MI 48933.

After this deposition, on July 21, 2017 the trial court scheduled a ~~hearing~~ for case evaluation to be ~~held~~ on March 21, 2018 at the tentative time 10:15 am and a pretrial trial conference for May, 14 2018 at 8:30am and Jury Trial on June 18, 2018 at 9:00am. The defendant scheduled a mediation for August 16, 2017 with defendant attorney. However; Mr. Daniel G Collison cancel the motion. After that they scheduled for facilitative mediation.

This facilitative mediation was chosen by Defendant's Attorney Shiana R. Reed and Daniel G. Collison. After this date they started to trouble me a lot and they sent me to IME doctor. This Dr. was reporting based on the advice of insurance company Attorney without ~~examining~~ <sup>exam to</sup> me. All the ~~examination~~ <sup>EXAM</sup> was done by the Defendant company ~~referred~~ <sup>EXAM to</sup> doctors only.

They sent me supermall witnesses and they provide me with the list themselves.

The defendant Lawyer file supplement witnesses  
The defendant ASK me for supplement Lay EXTRA  
witness List

When I searched on the internet and scheduled appointments, the Progressive Attorney kept on cancelling the appointments 5 times. I was unable to hire a Doctor <sup>and</sup> ~~and~~ Lawyer on my own because of the insurance attorney.

Even an interpreter was hired by the insurance company attorney. They had only one interpreter was used for everything, including court and IME Doctor. The interpreter was keeping their interest not mine. I was not given the chance to express myself. Everything was done by them.

If anyone come to my apartment to help me for cleaning, laundries and shopping, progressive attorney keeps on calling several times and scare them. Even the landlord works for them. He changed my email 3 time key.

The case was dismissed by the lower court by mistake. The case was dismissed on January 10, 2018 because the defendant lied and reported that I missed depositions on December 8, 2017 at 10:00am. I have not missed any of the depositions and I have not received any notice of this depositions for December 8, 2017. And the Defendant's Attorney was changing my mailing address to his office located at 124 W Allegan Street, Suit 1000, Lansing, MI 48933-1716. Also, the insurance company lawyers hired a new attorney without my knowledge. His name is Timothy D. Vandenberg, 250 Monroe Ave., NW, Ste 400 Grand Rapids, MI 49503.

On February 28, 2018 they asked me to bring Lay and Expert witness list. In actuality, the case was not dismissed. They were using this to support their deceitful actions. They were also doing this because they know that I am disabled woman who lost her job and don't have the power to compete with them.

Currently, I have been referred to a specialist for surgery but they would not care for me as the insurance company has not paid some bills and I was supposed to take medication which has been stopped Defendant's insurance company.

Therefore, I appeal to the Supreme court of the United States Court of Clerk for petition for Writ of certiorari.

①

REASONS FOR GRANTING THE PETITION

Without my consent and knowledge the defendant's Attorney Auto-owners insurance company lawyers has changed my mailing address to the company lawyer address which is 124 West Allegan St Suite 1000, Lansing, MI 48933. Thus, I didn't get any correspondence (including this case) to my physical address. Because of this, I didn't receive any notification notice of deposition for December 8, 2017. I got a confirmation that my mailing address to their address which is stated above.

The lower court didn't give ~~my~~ ~~my~~ attention to listen my petition which explain that my mail address has been changed without my consent and I didn't receive any notification for deposition. The lower court wrongly dismiss my claim by considering that I failed to appear for deposition on December 8, 2017. The Supreme court by taking into consideration

(2) on my genuine Reason to reverse  
the lower court decision to dismiss  
my case and grant me to  
~~reopen the case~~ the  
~~court~~. To order the lower  
court to reopen and decide  
on my case.

### CONCLUSION

The petition for a writ of certiorari should be granted.

US SUPREME COURT hear me and granted me to get back my cas

Respectfully submitted,

Sana ELYAS

Date: 7-7-2019