

19-7929

In the
SUPREME COURT OF THE UNITED STATES

ORIGINAL

Supreme Court, U.S.
FILED

MAR 09 2020

OFFICE OF THE CLERK

CARYN HALL YOST-RUDGE
Petitioner,

v.

A TO Z PROPERTIES, INC,
Respondent,

On Petition for Writ of Certiorari To The
District Court of Appeals of Florida
Fourth Circuit

PETITION FOR WRIT OF CERTIORARI

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*Subject of Disqualification

QUESTIONS PRESENTED

1. Whether the Due Process Clause is made invalid by denying disqualification of an opposing attorney whom caused great harm as city vice-mayor yet concealed their fraud by then becoming city attorney and defrauding both the city commission and the court?

LIST OF ALL PARTIES

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:

Michael Joseph Mortell, Esq.
City of Stuart, Florida
Martin County, Florida

RELATED CASES

#09CA3586

#11CIV14306	(US So. Dist)	#164D2088
#12 11014	(US 11 th Circ.)	#174D2548
#16-9078	(SCOTUS)	#174D2922
#17SC1967	(FL Supreme)	#104D3936
#18SC78	(FL Supreme)	
#18SC1153	(FL Supreme)	
#18SC1250	(FL Supreme)	

CORPORATE DISCLOSURE STATEMENT

Petitioner is unaware of any parent of publicly held company owning 10% or more of the corporation's stock involved with this case.

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- B. Fourth District Court of Appeal Denial of Rehearing
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- D. Nineteenth Circuit, Martin County Denial of Attorney Disqualification
- E. Photograph of subject property/home. Petitioner/family were fraudulently removed from own property in 2009.. demonstrating irreparable harm.
- F. History of Michael Mortell, subject of disqualification in chart form.
- G. History of the "state" crushing a family's civil rights, property rights, constitutional VII and X homestead rights, and their equal protection under the law, without remedy or relief for Petitioner/family in art.

* The Appendices from this Court's case #16-9078 Rudge v City A through E can also provide additional information about **same subject property** which is Petitioner/family's home/homestead.

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PETITION FOR WRIT OF CERTIORARI

Caryn Hall Yost-Rudge, in forma pauperis, respectfully requests that this Court issue a writ of certiorari to review the judgment of the District Court of Appeal of the State of Florida, Fourth Circuit.

OPINIONS BELOW

The per curiam affirmance of the 4thDCA was without opinion.

CARYN HALL YOST- RUDGE v A TO Z PROPERTIES INC.

No. 4D17-3204 February 6, 2019

(reversed and remanded back to 19th Circuit in Petitioner's favor
and yet she still awaits a trial, even today.)

JURISDICTION

This Court has jurisdiction under 28 U.S.C. 1257(a)
The Supreme Court of Florida dismissed case on
December 9, 2019. (APPENDIX A)

A timely petition for rehearing was denied by the Fourth
District Court of Appeals, Florida on November 4th, 2019
(APPENDIX B)

A PCA was issued by Fourth District Court of Appeals,
Florida on August 15, 2019. (APPENDIX C)

This petition has been filed within 90 days of the order of the
the Supreme Court of Florida of December 9, 2019.

CONSTITUTIONAL PROVISIONS AT ISSUE

The Fifth Amendment to the U.S. Constitution provides that:

"No person shall...be deprived of life, liberty, or property without due process of law."

The Fourteenth Amendment to the U.S. Constitution provides, in relevant part:..."Nor shall any state deprive any person of life, liberty, or property, without due process of law.

STATEMENT OF THE CASE

When a commissioner in a municipality in any state can then become the municipal attorney and defend the possible harm caused by their former fraudulent "commissioner decisions", it is an issue of great importance to all Americans.

A municipal attorney operates with the power of the state, therefore, all municipal attorneys have an obligation to provide due process for all US citizens.

Government was established to protect us and bring us good... not work us harm.

Petitioner Hall Yost-Rudge has demonstrated the perpetual fraud concerning the subject property of all related cases for years, and consistently has sought relief, to no avail.

When vice-mayor Michael Mortell made fraudulent decisions and then was permitted to be the city attorney to conceal his fraud, this caused great harm to Petitioner, and still does.

An attorney, acting with the power of the state, to defraud the courts for years is about as public as it gets. And this behavior allowed, with no accountability to the law, erodes public confidence. That this involves a child's home makes it that much more important on a national scale.

The issue of children's homes is very important to the public at large.

How long do "we the people" whom love, honor, and respect the law continue to keep the law if the "keepers of the law" do not?

A. FACTS GIVING RISE TO THE CASE

Petitioner Hall Yost-Rudge attempted to disqualify city attorney Mike Mortell on April 1, 2019.

Petitioner relied on a decade of undisputed facts, that were contained on the record and on docket.

All levels of the government should assure, and have as their central promise, that they operate within the law and provide for fair procedures. The motion to disqualify city attorney should have turned on whether one party has an unfair advantage over the others.

In forma pauperis mother contra "city attorney with power of the state behind him" yet Petitioner's motion to disqualify an attorney, a material witness as well, should have been granted, according to the pragmatic principles of "fundamental fairness".

Allowing the vice-mayor to conceal his fraud as the city attorney and not be disqualified is quite prejudicial to the fair administration of justice.

Leviticus 24:19 "Anyone who injures another must be dealt with according to the injury inflicted."

REASONS FOR GRANTING THE WRIT

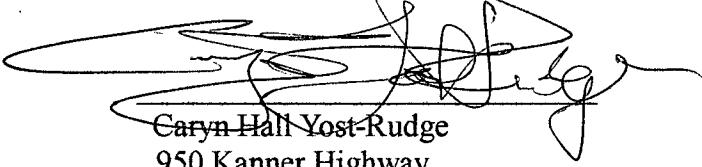
The 4thDCA's decision to not disqualify the city attorney, a former mayor, whose harm to Petitioner/family is well documented, undermines the purpose of the Due Process Clause where all citizens have a constitutional right to a fair and meaningful hearing. Petitioner Hall Yost-Rudge request review of these seemingly procedural illegalities in the lower court(s).

CONCLUSION

For the foregoing reasons, the petition for writ of certiorari should be granted, the decision of the 4thDCA be reversed and remanded back to the trial court for a meaningful and fair hearing, or set a date for jury trial or whatever this honorable Court deems just and fair.

DATED: March 8th, 2020

Respectfully submitted,



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