No. 19-7938

ORIGINAL

Supreme Court, U.S.
FILED
JAN 0 2 2020
OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

WASHINGTON, D.C.

[In Re: UNITED STATES ex. rel./Townsend("Pro se litigant")—Petitioner,

Vs.

DISTRICT JUDGE(s) LIEGH MARTIN MAY and MICHAEL L. BROWN,

Respondent(s).]

[THE CASE *of*:

UNITED STATES ex. rel./Townsend

Vs.

EDUCATION MANAGEMENT CORP.,

("Agent") of Art Institute of Atlanta; and

U.S. DEPT. OF EDUCATION,

Federal Student Aid/ and all associated names,

Default Resolutions Group, Ombudsman Group, etc;

and against FMS Investments Corp. (FMS).]

Comes Now, "Petitioner Townsend", filed [its] (transfer—"Writ of Mandamus") on January 2, 2020; received by the *"clerks' office"*, docketed January 7, 2020. "Petitioner" makes *"its"* good faith effort; by submitting [Petitioners' (corrected) "WRIT OF MANDAMUS"], *this 14 day of March, 2020.* A notifications letter, dated *January 28, 2020;* from the *"clerks' office",* informing "corrections". [Please see: Attached clerks' letter]

Aretha Townsend/Pro se litigant "Petitioner"

P. O. Box 1197

Austell, GA 30168 (770) 361-8359

1

QUESTIONS FOR REVIEW

1. Whether District Judge May *erred* when Dismissing [Petitioners'] "Complaint" as frivolous, in *"this"* matter? Furthermore, whether [the "Judge"] considered *"record of evidence"*, (document) dated, *June 15, 2016* (The *"document"* which confirmed the *wrongful "offset"*; and [reset] the *statutory time*); when Dismissing [Petitioners'] *"Complaint"*, of the Order dated July 23, 2018; and further Dismissing [Petitioners'] ("IFP") Application, *to proceed in the Court of Appeals* [based on [Petitioners'] *"Complaint"* action; of *Order* dated August 24, 2018?
2. Whether Court of Appeals Judge, [who failed to sign *"its"* name *legibly* and failed to provide *date of submission* of *its* Judgment (the *matters of appropriations* which constitutes a legitimate "Order")]; whether (the "Judge") considered *"all"* facts of evidence specifically the (document) *dated June 15, 2016*, in *"this"* case action; when making *"its"* determination of Dismissing [Petitioners'] *"Complaint"*, as frivolous by agreeing with lower court Judge May; of [its] *"Order"? (The Appeal "Order"* which did not provide a date; however, *envelope postdate of January 25, 2019*)
3. Additionally, Whether the Court of Appeals *"Judges", erred*, when making [its] decision, of the acclaimed *"Order"* (no submission date appears); however, attached clerks letter/*envelope post dated March 13, 2019*; failing to allow Petitioners' Motion for Summary Judgment/Direct Verdict ("separate case") and request for court appointed attorney; of the *matters of "claims"*, whereby, [The *"case action"* filed by (Defendant) Education Management Corp.; in the Bankruptcy Court—*State of Delaware, filed on June 29, 2018*]; **(Parties of Interest) to the Bankruptcy "case action"(State of Delaware), were *wrongfully granted priority*; in the case matter?**
4. Whether District Judge May *erred*, when mentioning *"this"* (case action); as *grounds* for exercising the *"All Writs Act"? And whether Judge May rightfully appropriated, "its" concerns of addressing the "matters" of claims against "Petitioner"; as stated, ["harassing (her) opponents' and encroaching the judicial system"];* as it relates to the *"case action"(U.S .ex. rel./Townsend v. NLRB), to invoke (grounds of jurisdictions)*; in the *"Order"* dated January 23, 2019?
5. Whether District Judge Michael L. Brown (State of Georgia), discern appropriately, concerning *"Petitioner Townsends"* ("Writ of Certiorari") docketed July 30, 2019; of his *"Order"* dated August 16, 2019; of [*"Petitioner Townsends"* case action (priority claim) against Education Management et., al.]; when concluding to ***Enforce*** the *"All Writs Act"*, and Dismiss *"Townsends"* case action; under the governance, thereof? [The *"All Writs Act"* which was "ordered" and initiated on January 23, 2019, by District Judge Leigh Martin May (State of Georgia)]

Continue on next page...

6. Whether any of these *"government officials"*, conclude appropriately and with consciousness of *"Petitioner Townsends"* rights, in determination of judgment; as *"it"* relates to [Article III] procedural jurisdiction, and as *"it"* relates to...redress the deprivation, under color of any State law, statue, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States?

CERTIFICATE OF INTERESTED PERSONS

- **U. S. Department of Education—Federal Student Aid**

  and "all" associated names

U. S. Department of Education/ Office of General Counsel

400 Maryland Avenue S. W.,

Washington, DC 20202

- **FMS investment Corp. (FMS)**

P. O. Box 1423

Elk Grove Village, IL 60009-1423

District Judge Leigh Martin May

(served by MAIL delivery—for clerk to *place in assigned mailbox* of District Court)

4

Debtor
Education Management II, LLC and
Its affiliates
210 Sixth Ave, 3rd Floor
Pittsburgh, PA 15222

Debtor's Attorney
Jay Jaffle
Faegre Baker Daniels LLP
600 East 96th Street, Suite 600
Indianapolis, IN 46240

Bankruptcy Trustee
George L. Miller
1628 John F. Kennedy Blvd.
Suite 950
Philadelphia, PA 19103-2110

U.S. BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE
Attn: Clerks' Office (Presiding Judge)
824 Market Street, 3rd Floor
Wilmington, DE 19801

District Judge Michael L. Brown (served by MAIL delivery—for clerk to place in assigned mailbox of District Court)

Cc: State Atty Gen.(GA)/Christopher M. Carr
40 Capitol Square SW
Atlanta, GA 30334-1300

State Atty. Gen.(DE)/Kathy Jennings
Carvel State Bldg, 820 N. French St.
Wilmington, DE 19801

Cc: Solicitor General of the United States, Room 5614
Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D. C. 20530—0001

CORPORATE DISCLOSURE STATEMENT

I, (Petitioner—Aretha Townsend) states; I do not posses; nor have I owned *any* of the corporations' stocks; as it relates to this *"case action"*.

RELATED CASES

5

1. The Case of; [United States ex. rel./Townsend vs. Education Management Corp., (agent of Art Institute of Atlanta); and U. S. Depart. of Ed, Federal Student Aid/ and all associated names, Default Resolutions Group, Ombudsman Group, etc.; and FMS Investment Corp. ("FMS")]; filed on *February 21, 2017* w/attachment(s) Evidence of Record and Petitioners' ("IFP") Application to proceed. Magistrate Judge Catherine M. Salinas **Granted** "Petitioner Townsends" (IFP) Application, of the *"Order"* dated; *February 22, 2017*. [Civil Action No. 1:17-CV-00639]
2. Petitioners' *"Complaint"* was forwarded to be determined by District Judge Leigh Martin May; an order was issued on July 23, 2018, denying Petitioners' "Complaint"; *claiming exceeded statutory limitations*; on all count(s). [Civil Action No. 1:17-CV-00639—LMM]
3. Petitioner filed *"its"* timely **Notice of Appeal w/attachment(s)** Certificate of Interested Parties, and (IFP) Application to proceed; docketed August 23, 2018. District Judge May denied Petitioners' *"Complaint"*, dated August 24, 2018.
4. *Notifications* provided from the clerk/Court of Appeals for the Eleventh Circuit (State of Georgia), to proceed by filing *"Petitioners"* (IFP) Application; letter dated August 29, 2018. *"Petitioner Townsend"* submitted [*her*] (IFP) Application *dated September 7, 2018*; and later,

after receiving *notifications* from [Bankruptcy Court of Delaware]; that a *bankruptcy claim* had been filed by Education Management II, LLC/and Affiliates; notifications letter dated June 29, 2018]; Petitioner filed *"its"* Motion for Summary Judgment for an Immediate Direct Verdict (Separate Claim) and request for Court Appointed Attorney (with supported attachment(s)); *docketed November 9, 2018.* [Appeal No: 18-13560-H]

5. An "Order" was issued denying "Petitioner Townsends" (Complaint); however, the presiding "Circuit Judge" failed to write "its" name legible and failed to submit a date of order; however, the attached Clerk's letter was dated January 25, 2019 (Notice of Court Action).
6. *"Petitioner Townsend"* filed *"its"* Motion For Demand of Reconsideration w/attached Certificate of Interested Persons; *docketed February 6, 2019.* The acclaimed *"Order"* denied "Petitioner Townsends" (Motion), however; "circuit judges" Tjoflat and Branch failed to sign the acclaimed "order" and failed to submit date. (Attached was the circuit clerk's letter dated March 13, 2019; notification of the "courts" action.)
7. District Judge Leigh Martin May submitted a (wrongful judgment) concerning another *"case action"* [National Labor Relations Board et., al.] and proceeded to exercise the "All Writs Act" against (that) case action and all other case action(s) *"Petitioner Townsend"* had ever filed; particularly, the case action *"Townsend"* filed against Education Management et., al.; the *"Order"* dated January 23, 2019. [Note: "Petitioner Townsend" *reserved (her) rights* to submit *"this Order"* as evidence. [Civil Action No. 1:18-CV-05750-LMM]
8. *Petitioner Townsend"* proceeded to file *"its"* Writ of Certiorari (Appellant Court Jurisdiction) docketed July 30, 2019. [Civil Action No. 1:19-MI-0122]
9. An "Order" was issued presiding District Judge Michael L. Brown (State of Georgia); concluding to *enforce* the wrongful "All Writs Act", without allowing *"Petitioner Townsend" Due Process.* [The *"Enforcement Order"* dated August 16, 2019]. [Civil Action No. 1:19-MI-0122—MLB]
10. "Petitioner Townsend" filed a timely *"Writ of Mandamus"*; docketed September 16, 2019, filed in the Supreme Court of Georgia. However, Chief Deputy Clerk/Supreme Court of Georgia; claimed **no jurisdiction**, thereby, redirecting *"Petitioner"* to file *claim* in District Court; letter dated September 23, 2019.
11. "Petitioner Townsend", filed [its] (transfer—"Writ of Mandamus") on January 2, 2020; received by the *"clerks' office"*, docketed January 7, 2020. Clerk of the Supreme Court; has sent notifications letter(s) dated January 7, 2020 and January 28, 2020, to correct *"Writ"*.

TABLE OF CONTENTS

INDEX TO APPENDICES

(Please Note: Record of Evidence pertaining to the (*case action*), **[UNITED STATES ex relatione' Aretha Townsend/Plaintiff—Appellant vs. EDUCATION MANAGEMENT CORP.], And [U.S. Department of Education—Federal Student Aid/ and "all" associated names- Default Resolutions Group, Ombudsman Group, etc.], And [FMS Investments Corp. (FMS)]; Defendant(s)—Appellee(s).** District Court Docket No: 1:17-CV-00639—LMM; Appeal Number: 18-13560-H *"itself"*; has already been uploaded to Judicial System(s), State of Georgia and State of Delaware.)

TABLE OF CITED AUTHORITIES

The adoption of the Fourteenth Amendment in 1868 undid the Dred Scott decision (Whereby, in 1857, the *Supreme Court ruled*; in the case of *Dred Scott v. Sandford* that because neither enslaved nor free African Americans could be American citizens, they had no standing to sue in federal court.); affirming African American citizenship, and guaranteed equal protection and due process of law.

[Article XIV. Section 1 and Article XIV. Section 2]

[The Civil Rights Act of 1968] banned discrimination in employment, federally assisted programs, public facilities, and public accommodations.

STATEMENT OF JURISDICTIONS

District Judge Leigh Martin May submitted a (wrongful judgment) concerning another *"case action"* [National Labor Relations Board et., al.] and proceeded to exercise the "All Writs Act" against (that) case action and all other case action(s) *"Petitioner Townsend"* had ever filed; particularly, the case action *"Townsend"* filed against Education Management et., al.; the *"Order"* dated January 23, 2019. [Note: "Petitioner Townsend" *reserved (her) rights* to submit *"this Order"* as evidence. [Civil Action No. 1:18-CV-05750-LMM]

1. *Petitioner Townsend"* proceeded to file *"its"* Writ of Certiorari (Appellant Court Jurisdiction) docketed July 30, 2019. [Civil Action No. 1:19-MI-0122] case action: [United States ex. rel./Townsend v. Ed. Mang., et. al]
2. An "Order" was issued presiding District Judge Michael L. Brown (State of Georgia); concluding to *enforce* the wrongful "All Writs Act", without allowing *"Petitioner Townsend" Due Process*. [The *"Enforcement Order"* dated August 16, 2019]. [Civil Action No. 1:19-MI-0122—MLB]
3. "Petitioner Townsend" filed a timely *"Writ of Mandamus"*; docketed September 16, 2019, filed in the Supreme Court of Georgia. However, Chief Deputy Clerk—Tia C. Milton (Supreme Court of Georgia); claimed **no jurisdiction**, thereby, redirecting *"Petitioner"* to file *claim* in District Court; letter dated September 23, 2019.
4. "Petitioner Townsend", filed [its] (transfer—"Writ of Mandamus") on January 2, 2020; received by the *"clerks' office"*, docketed January 7, 2020.

Clerk of the Supreme Court; has sent notifications letter(s) to correct *"Writ"*, dated January 7, 2020 and January 28, 2020, to correct *"Writ"*.

Jurisdiction is invoked under Rule(s) **28 U.S.C. & 1631.** Transfer to cure want of jurisdiction;

Jurisdiction is also, invoked under **Rule 18.** Joinder of Claims (a) In General.;

In addition, jurisdiction is invoked under **the Constitution of;** Article 1, Article III. Section 2; Article XIV. Section 1, and Article XIV. Section 2; to include, Jurisdiction & Venue & 1343.; also to include, Sec. 818. [42 U.S.C. 3617].

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- ✓ (Articles III Section 2.) *The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;--to all Cases affecting Ambassadors, other public Ministers and Consuls;--to all Cases of admiralty and maritime Jurisdiction;--to Controversies to which the United States shall be a Party;--to Controversies between two or more States;--between a State and Citizens of another State;--between citizens of different States;--between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects. In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make. The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.*

- ✓ Civil Practice & 9-12-89. Rank of Judgments affirmed by appellate court

A judgment in the trial court which is taken to the Supreme Court or the Court of Appeals and is affirmed loses no lien or priority by the proceeding in the appellate court.

& 9-13- 1. When execution to issue

No execution shall issue until judgment is entered and signed by the party in whose favor verdict was rendered or by his attorney, or by the presiding judge or justice.

& 9-13-2. Time of issuance; suspension by appeal

If execution is issued before the expiration of time allowed for entering an appeal, the execution will be suspended on the entering of an appeal by either party.

& 18-3-4. Issuance when suit is pending

In all cases where the plaintiff has commenced an action for the recovery of a debt and the defendant, during the pendency of such action, shall become subject to attachment, the plaintiff may have an attachment against the defendant; and all the proceedings in relation to the same shall be as prescribed in relation to attachments where no action is pending. A satisfaction of the judgment in the common-law action shall satisfy the judgment in attachment, and a satisfaction of the judgment in attachment shall satisfy the judgment in the common-law action.

10

& 18-3-74. Lien of attachments; priorities

The lien of an attachment is created by the levy and not the judgment in the attachment; and in case of a conflict between attachments, the first levied shall be first satisfied; but in a contest between attachments and ordinary judgments or suits, it is the judgment and not the levy which fixes the lien. However, the lien of an attachment shall have priority over the lien of an ordinary judgment that has been obtained upon a suit filed after the levy of the attachment.

LEGAL STANDARDS STATED, as follows:

Fair Debt Collection Practices Act

- The Fair Debt Collection Practices Act prohibits unfair, deceptive, and abusive practices related to the collection of consumer debts. Although this statute does not by its terms apply to banks that collect their own debts, failure to adhere to the standards set by this Act may support a claim of unfair or deceptive practices in violation of the FTC Act. Moreover, banks that either affirmatively or through lack of oversight, permit a third-party debt collector acting on their behalf to engage in deception, harassment, or threats in the collection of monies due may be exposed to liability for approving or assisting in an unfair or deceptive act or practice.
- False Claims Act—False Claims Act (31 U.S.C. && 3729-3733, also called the "Lincoln Law" which is an American federal law that imposes liability on persons and companies (typically federal contractors) who defraud governmental programs."

ADDITIONAL LEGAL STANDARDS.

23-2-54. Surprise as a form of fraud

Universal Citation: GA Code & 23-2-54 (2016)

- Anything which happens without the agency or fault of the party affected by it, tending to disturb and confuse his judgment or to misled him, of which the opposite party takes an undue advantage, is in equity a surprise and is a form of fraud for which relief is granted.

2010 Georgia Code, Title 23-Equity, Chapter 2-Grounds for Equitable Relief, Article 3-Fraud & 23-2-51—Fraud as actual or constructive O.C.G.A. 23-2-51 (2010)

(a) Fraud may be actual or constructive.
(b) Actual fraud consists of any kind of artifice by which another is deceived. Constructive fraud consists of any act of omission or commission, contrary to legal or equitable duty, trust, or confidence justly reposed, which is contrary to good conscience and operates to the injury of another.
(c) Actual fraud implies moral guilt; constructive fraud may be consistent with innocence.

Formerly. Code 1863, & 3104; Code 1868, & 3116; Code 1873, &3173; Code 1882, & 3173; Civil Code 1895, & 4025; Civil Code 1910, & 4622; Code 1933, & 37-702.

&23-2-53. Suppression of the truth

Suppression of a material fact which a party is under an obligation to communicate constitutes fraud. The obligation to communicate may arise from the confidential relations of the parties or from the particular circumstances of the case.

Formerly. Code 1863, & 3106; Code 1868, & 3118; Code 1873, & 3175; Code 1882, & 3175; Civil Code 1895, & 4027; Civil Code 1910, & 4624; Code 1933, & 37-704

Jurisdiction & Venue & 1343. Civil rights and elective franchise

(a) The district courts shall have original jurisdiction of any civil action authorized by law to be commenced by any person:

(1) To recover damages for injury to his person or property, or because of the deprivation of any right or privilege of a citizen of the United States, by any act done in furtherance of any conspiracy mentioned in section 1985 of Title 42;

(2) To recover damages from any person who fails to prevent or to aid in preventing any wrongs mentioned in section 1985 of Title 42 which he had knowledge were about to occur and power to prevent;

(3) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States;

12

(4) To recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote.

Sec. 818. [42 U.S.C. 3617] Interference, coercion, or intimidation; enforcement by civil action It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by section 803, 804, 805, or 806 of this title.

& 9-6-24. No Special Interest Necessary for Plaintiff to Enforce Public Right.

Where the question is one of public right and the object is to procure the enforcement of a public duty, no legal or special interest need be shown, but it shall

be sufficient that a plaintiff is interested in having the laws executed and the duty in question enforced.

Formerly. Code 1933, & 64-104

& 9-6-20. Enforcement of official duty; inadequacy of legal remedy

All official duties should be faithfully performed; and whenever, from any cause, a defect of legal justice would ensue from a failure to perform or from improper performance, the writ of mandamus may issue to compel a due performance, if there is no other specific legal remedy for the legal rights.

Formerly. Code 1863, & 3130; Code 1868, & 3142; Code 1873, & 3198; Code 1882, & 3198; Civil Code 1895, & 4867; Civil Code 1910, & 5440; Code 1933, & 64-101.

- ✓ A claim has *facial plausibility when the plaintiff pleads factual content* that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged. Ashcroft v. Iqbal, 556 U.S. 662, 678, 129 S. Ct. 1937, 1949 (2009).
- ✓ *Defendant(s) Wrongfully "Offset" Plaintiff's Federal Tax Refund(s)*; hence, ["they"] could not validate the claim(s); because they were created under false pretenses.
- ✓ The *Wrongful "Offset(s)"*; **reset the statutory clock!** (*Heffelfinger v. Gibson*, 290 A.2d 390)

13

STATEMENT OF THE CASE

On February 21, 2017, *Petitioner* filed [*her*] lawsuit against [Education Management Corp. et, al/Defendant(s)]; proceeding as *pro se*, she attached [*her*] Affidavit Application (Application *"forms"* provided by the *Courts*), for Leave to Proceed in *Former Pauperis* ("IFP") Applicant.

I.

Petitioner presented to the Courts [her] *"Complaint"* against ("Defendant(s)") "EDUCATION MANAGEMENT CORP."; and U. S. DEPARTMENT OF EDUCATION—Federal Student Aid/and *"all"* associated names—*including* Default Resolutions Group, Ombudsman Group, etc.; and FMS INVESTMENT CORP. ("FMS"); whereby, these corporations/organizations violated [Plaintiff/Townsend] of the following:

- Imposing a Student Loan *False Claim* liability on [Townsend/former student of "AIA" (Art Institute of Atlanta)]; Education Management is the owner of "AIA".
- Additionally, Education Management concluded to validate the *False Claims*; by way of manipulation, deception, fraud, and forgery.
- Concluding to "Capitalize" off Plaintiff's ("disability"), when failing to *forgive* the student loan ["period" of Summer 1993'—May 10, 1994']; as stated by the representative of "AIA". (The incident concerning Plaintiff being involved in a car accident of May 1994', which disabled her.)
- Concluding additional false claims for *"period"* October 1995'; with claims of Plaintiff receiving large monetary rewards, different grants received in large sums, student refund(s), monies received by (AIA) from "plaintiff" to begin semester for Year 1995', and such likeness; when Plaintiff never returned back to (AIA) after withdrawal from the school of last date attendance, May 10, 1994'
- Further, Education Management wrongfully *offset* [Townsend's] Federal Refund 2015' of the amount $7,129.00 and Federal Refund 2016' of the amount $1,955.00; and Federal Refund 2017' of the amount $469.00, thus far, towards the False Claim(s); beginning, during Tax Year' 2016. (Townsend filed a lawsuit on February 21, 2017.)
- Wrongfully placing debt claim back on credit file while *"matter"* was still in dispute, and concluding to leave the False Claim Student Loan on [Petitioners'] credit file.
- Committing forgery; in an attempt to validate the debt when stating that [Petitioner] submitted another (consolidations Year 2003'). *[the 'false claim' statement]*
- Concluding to validate *false claim student loan*, using the unenforceable "Consolidation" document dated March 1, 2000; (Ombudsman Specialist/Wendy Betts stated; **letter dated January 30, 2013.**)
- Concluding to validate *additional false student loan claims*, when Ms. Betts claimed that the additional documents received, were valid claims (statement from **letter dated January 30, 2013.**)

Thus, [Petitioner] also filed the ("Lawsuit") against [U. S. Department of Education—Federal Student Aid/and *"all"* associated names--Default Resolutions Group, Ombudsman Group, etc.] and the third party collections agency (hired to collect on behalf of Department of Education), the company, ("FMS") FMS Investments Corp. (Defendant(s);

- For assisting Education Management Corporation, in conducting "gross acts of misconduct"; when failing to process *"both"* hardship request and discharge application(s) [upon *knowing the* fraudulently created debt claims could not be validated nor enforced], choosing to release [Petitioners'] (confidential information) to third party collections agency upon knowing the debt claim is ["Fraud"] and could not be validated nor enforced, choosing to discriminate against *"Hardship"* request, failing to discharge the *entire* debt claim; thereby, using all of these *ill tactics*, to assist Education Management Corp., by *"covering up"* the gross acts of misconduct; and holding [Petitioner] and the government liable for the *"Falsely created debt claims"*!

II.

STATEMENT OF JURISDICTION (continues descriptive details)

Petitioner noted in [her] lawsuit, after exhausting all administrative remedies
15 required by law; that "Defendant(s)", continuously have been engaged in an industry affecting commerce, and around November 2015', public records, revealed that Education Management Corporation—Mark A. McEachen (owner of Art Institute of Atlanta); settled False Claims Act cases with multistate (39) attorney generals' (including the state of Georgia) and the District of Columbia of agreements with the U. S. Department of Justice, although no admission of wrongdoings; to end state-level investigations into its *"Recruiting Practices"*.

[Petitioner] provided supported evidence which shows that *she* was able to maintain a *qui tam* action on behalf of the United States and for *herself*. The evidence provided, demonstrated [Education Management et, al.]; committed acts of manufactured created fraud (whereby, the defendant(s) took advantage of [Petitioners'] disability during period May 1994, created false claims of debt, stating; [Petitioner] owed AIA and MS Valley State University totaling $15,000.00; thereby, Direct Loans representative coercing [Petitioner] to consolidate falsely created debt claims; using manipulative tactics stating failure to consolidate, will cause wage garnishment and [Petitioner] would not be able to

dispute the debt claims without first consolidating the loan amounts. (Manufactured fraud *document* time stamped; March 1, 2000')

[When in fact, [Petitioner] never owed any monies to MS Valley State University because she went to school on a choir scholarship; nor did she owe the Art Institute of Atlanta because after [Petitioner] was injured Year 1994'; [Petitioner] spoke to a financial aid representative at AIA; who explained to *her* that the debt (reported from National Student Loan Data System of the amount $4,761.00) was forgiven; due to *her* disability.]

Later, December 2000'; Direct Loans sent [Petitioner] a Quarterly Interest Statement dated December 31, 2000', reflecting a Principal balance amount slightly above the amount owed AIA, totaling $5, 246.20; and Principal and Interest totaling $5,531.24. [Direct Loans representative had defrauded [Petitioner], because this document did not reflect anything being consolidated!] (The consolidation document dated *"March 1, 2000"* is invalid and unenforceable!)

[Petitioner] disputed these matters during Year 2012, after finally getting proper directions for disputing the matters' from Sharon Shapiro/Senior Collection Lead at AIA. Ms. Shapiro provided [Petitioner] with contacts for filing disputes; of document dated 4/9/2012.

[Petitioner] made several contacts, by sending out letters to parties of interest, entities claiming to collect on the acclaimed debt, listed as follows; USA Group Loan Service, Inc., Direct Loan Servicing Center (ASC), Department of Ed/Cornerstone—UHEAA. (Grievance letter dated; July 16, 2012)

Shortly thereafter, [Petitioner] received a letter from UNITED STATES DEPARTMENT OF EDUCATION/Office of Inspector General, docketed August 14, 2012; referencing that she contact Joyce DeMoss/Ombudsman, Federal Student Aid. [Petitioner] followed through with contact, the following states;

[Petitioner] retrieved letter from Ombudsman Specialist/Wendy Betts, dated January 30, 2013; stating: "There is no record of loans ever being disbursed to Mississippi Valley."

Moreover, Ms. Betts Wrongfully concluded, stating; "A review of the records available reflects that the initial loans, as well as the outstanding consolidation loan, are valid debts."----Claims of, **(New evidence/document(s):** which fraudulently claimed that Plaintiff received large monetary rewards, different

grants received in large sums, monies received by (AIA) from "plaintiff" to begin semester for Year 1995', and such likeness; when Plaintiff never returned back to AIA; after withdrawal from the school of last date attendance, May 10, 1994'. [fraudulent document dated, **12/18/2012 for "period" October 8, 1995)**

[Petitioner] didn't correspond to the letter from Ombudsman Specialist (Ms. Betts) during that time; because other *"matters"* began to impact the life of her and children; which diverted *petitioners'* attention. (An on the job incident, (Theft of personal possessions, which included identity theft); began during November 2012 and continued throughout Years; causing a number of circumstances to occur. Immediately, [Petitioner] reported the incident to the proper authorities and her Manager, and she also filed a complaint with HR department concerning the theft issues and other job related *"matters"*; and shortly thereafter, she was retaliated against from job; whereby, she suffered continuous retaliation that resulted in a work-related injury; on December 20, 2013.)

While [Petitioner] continued to weather through the challenges *she* was faced with (her job terminated *her* on May 20, 2014; while she was still out on medical leave; forcing her and family into extremely harsh forced hardship); around the same timeline, *she* learned that her federal refund Tax Period 2012' was being *"offset"* concerning an acclaimed State Lien Tax Period 2010'. (Offset during Year 2014'; all occurring while [Petitioner] was still on medical leave, recovering from the job related incident; the *"incident"* which became aggravated, on December 21, 2013.)

17

The re-evaluating doctor released [Petitioner] back to work on July 30, 2014; yet, because she was wrongfully terminated, she didn't find work til Year 2015'. [Petitioners'] family and self was forced out of their place of stay during December 2014'; because *her* job failed to continue paying benefits while *she* was still out on leave, and failed to *re-file* her workers' compensation claim; as she requested, instead; *"her employer"* chose to wrongfully terminate [her]! Hence, [Petitioner and family] transitioned from one place to another, and to date, her and family still has not regained much stability. (Petitioner has not found stable work since the wrongful termination from her job; of which she worked for six years, before being wrongfully discharged.)

During Year 2016' [Petitioner] filed her taxes for Tax Period 2015'; and was due a refund, however, *her* refund was wrongfully *"offset"* towards the False Claim Student loan.

Upon learning *"this"* fact; [Petitioner] requested that Ombudsman re-open the case for another investigation concerning the False Claim Student loan and the wrongful *"offset"* of her Federal Refund Tax Period 2015'. [Petitioner; concluded to also file her lawsuit against (Department of Education) for assisting [Education Management LLC. and (its' affiliates); of [its'] misconduct, to *cover-up* all wrongful doings. The following states;

- ✓ Refusing to release Plaintiff's Federal Refund 2015' and reclaiming validations of the *false claim student loan;* of *letter dated June 7, 2016.* (The letter stating; "Our records show that we researched this matter and responded to you in a **letter dated January 30, 2013** (copy enclosed). The research showed that the loans were valid. Further, your subsequent consolidation of the loans affirmed your responsibility to repay the debt.")
- ✓ Refusing to release Plaintiff's Federal Refund 2015' of second request—during extreme hardship request; of *letter dated June 15, 2016.* (The letter which confirmed that ["Federal Student Aid—Default Resolution Group"] *wrongful offset Plaintiff's Federal refund of the amount $7,129.00.)*
- ✓ Denying request of Plaintiff's Federal refund 2015'(due to extreme hardship), with conditional terms(using manipulative tactics in an attempt to hold Plaintiff accountable for the false claim student loan). The Federal Student Aid—Default Resolution Group refused to release Plaintiff's Federal refund (due to extreme hardship), when stating the following; "You state that the offset of your federal and/or state tax refund or other payment causes you financial hardship. *We regret that you are dissatisfied with our previous response; however, our position has not changed. Because you did not provide us with the required supporting documentation, we were unable to make a determination regarding your hardship claim." **(Letter dated January 10, 2017; from Federal Student Aid—Default Resolution Group, 3rd page; 4th paragraph)***

(Here, the "Group" wanted Plaintiff to sign a document which would obligate [her] to repaying *her refund* back; as a *condition of releasing Plaintiff's refund.* Plaintiff submitted the document; to include [her] affidavit statement)

- ✓ (AGGRAVATED ASSAULT) Failed to release Plaintiff's federal refund-extreme hardship request a third time, failed to discharge the entire debt claim, failed to validate the debt claim, failed to remove false claim from credit file; yet, released Plaintiff's confidential information to a third party collections agency ("FMS") Investment Corp., for collection of the false claim. Plaintiff received notification of letter dated September 24, 2016, from

("FMS") stating; "The current creditor U. S. Department of Education (ED) has placed your account with us for collection." About 2 weeks later, Plaintiff received a letter from Default Resolution Group, stating;

"On October 19, 2016, the Department determined that a refund owed by the school was not credited to your account. Your account will be adjusted accordingly. Contact FMS Investment Corp at 1-800-605-9817 with any questions or concerns" **(Letter from Department of Education—Default Resolution Group)** Another letter dated October 27, 2016, from ("FMS") *reaffirming that the U. S. Department of Education had referred the false claim account to "them" for collections.* Additionally, ("FMS") had attached the "same" unenforceable document dated March 1, 2000; as an affirmed validations of the false debt claim. Plaintiff showed *"cause"*, as to why the document (of "its" 4th attempt of validations); **could not be validated nor enforced**. ("FMS") also sent an unidentified document with the number 3 at the bottom of the page; whereby, someone forged Plaintiff's signature on the document; in a desperate attempt to validate the false claim. **(Letter/w attachments, from ("FMS"); dated October 27, 2016)**

19

✓ (AGGRAVATED ASSAULT 2) Failed to release Plaintiff's federal refund-extreme hardship a fifth time, failed to validate the false claim, failed to remove the false claim from Plaintiff's credit file, *attempted to reaffirm validations of a false claim through fancy manipulation of words; yet, failed to include "any" legal documentations of validations of the false claim; and wrongfully referring Plaintiff back to "FMS" Investment Corp., for collections of the false claim.* (Letter dated January 10, 2017, from Federal Student Aid—Default Resolution Group.)

III. WRONGFUL DISMISSAL OF "CASE"—FAILURE TO ALLOW (*"DUE PROCESS"*)

1. [Petitioner] provided for the *courts*, evidence proving that the initial false claim student loan was/is a manipulative document ("the loan consolidation"); created under false pretenses. **(Loan Consolidation document dated March 1, 2000')**
2. [Petitioner] also provided for the *courts*, evidence proving that the false student loan claim was/is attempts of capitalizing off Plaintiff's disability during period [summer 1993'—May 10, 1994']; when AIA failed to honor *"their"* word, of sending unused portions back to lenders and forgiving the

loan of used portions. **(medical records and withdrawal document from "AIA")**

3. [Petitioner] provided for the *courts*, evidence proving that there were no loan consolidation done during Year 2000'; the "documents" which were created through deceitful, manipulative, fraudulent "acts" of Direct Loans representative; who created the false claim "debt consolidation". **(Quarterly Statement from Direct Loans; dated December 31, 2000')**
4. [Petitioner] provided for the *courts*, evidence proving that the additional false claims created October 8, 1995 were false; and *"this"* evidence which proves that ("AIA") created these *false claims* in efforts of defrauding the government and Plaintiff, when imposing the false claim student loans, as liability on [Plaintiff]; (evidence proves that "AIA" , as well as other loan agencies; created and manufactured ways of taking the monies, through crafty manipulation and fraud; thereby, holding [Petitioner] and the government liable to the false claims). **(Documents dated 12/18/2012)**
5. [Petitioner] provided for the *courts*, evidence proving that the fraudulent created *"consolidation"* **could not be enforced nor validated.**
6. [Petitioner] provided for the *courts*, evidence of correspondences to and from Department of Education (Federal Student Aid—Default Resolution Group; and "all" associated names); of *"their"* misconduct, to cover up the false claim, by conspiring to hold Plaintiff liable for the false claims; on several accounts, wrongfully offsetting Plaintiff's Federal refund(s), refusing to release Federal refund(s) during Plaintiff's request of [her] and children's' extreme hardship, refusing to discharge the entire false claim upon learning that "they" ("Department") could not validate the claim, failure to remove the false claim(s) from Plaintiff's credit file, and wrongfully releasing the "claim" to the third party agency for collections on the false claim. **(several letters attached as evidence; refer to Record of Evidence, already uploaded to the Judicial System)**
7. [Petitioner] also provided for the *courts*, evidence proving that ("FMS") Investment Corp., in a desperate attempt to validate the false claim; sent Plaintiff an unidentified document page 3; whereby, someone forged [her] signature, claiming that the document represented (Plaintiff agreed to another loan consolidation 2003'). **(Document attached to letter from ("FMS"); the letter dated October 27, 2016)**

a. As such, the *"courts"* agreed, that Plaintiff had established grounds for assertion of [her] lawsuit; however, lower court Judge May ***argued*** that Plaintiff is not within the statutory time of [her] claims; for relief. (The *"Order"* dated July 23, 2018)

b. [Petitioner] filed [her] Complaint (Notice of Appeal), as ("IFP") indigent person; docketed on August 23, 2018, with statement explaining that Judge May Wrongfully Dismissed [her] Complaint; and failed to discern appropriately the *"reset" statutory time.*

c. [Petitioner] provided for the *"circuit judge(s)"*, Records of Evidence; proving that the Department of Education—Default Resolution Group, acknowledged in a letter dated June 15, 2016; that they *"offset"* Plaintiff's Federal Refund Tax Period 2015, towards the false claim student loan. This ***"action"*** **reset the statutory clock**; which allows for Plaintiff a timely filed lawsuit, well within statute, for Relief. [Plaintiff filed [her] lawsuit against the *"Defendant(s)"* docketed on February 21, 2017 and Plaintiff was notified by the "Department"; of letter dated June 15, 2016]

PLAINTIFF ARGUED.

When Judge May failed to factor in "*facts of evidence*" that Defendant(s) *"offset"* [Plaintiff's Federal Tax Refund 2015' and Tax Refund 2016'] during the beginning of Year 2016'; (when determining "its" decision, to dismiss Plaintiff's Complaint); the "Judge" failed to discern appropriately, that the *"Offset(s)"* would be described as, ("claims of *validations of the debt claims). A*nd [Plaintiff], as well as, Judge May has clearly examined (upon the production of evidence); that Defendant(s), did in fact, commit "fraudulent acts" (using deceptive and manipulative tactics to create the fraudulent student loan claim(s); in an effort to defraud the government and Plaintiff).

Therefore, *Defendant(s) Wrongfully "Offset" Plaintiff's Federal Tax Refund(s)*; hence, ["they"] could not validate the claim(s); because *"the claim(s)"* were created under false pretenses! Thus, the Wrongful "Offset(s)"; reset the statutory clock! (*Heffelfinger v. Gibson*, 290 A.2d 390)

1. District Judge May denied Petitioners' *"Complaint"*, dated August 24, 2018; stating *"Plaintiff's application states that her appeal grounds are as follows: Lower Court judge failed to discern appropriately, the "reset" statutory time; and wrongfully dismissed Plaintiff's Complaint. Dkt. No. [8]. Plaintiff does not substantively challenge the Court's prior holding, that Plaintiff's claims are barred by the relevant statutes of limitations. Therefore, Plaintiff's Application to Proceed In Forma Pauperis [8] is **DENIED.**"*

2. *Notifications* from the clerk/Court of Appeals for the Eleventh Circuit (State of Georgia), to proceed by filing *"Petitioners"* (IFP) Application; letter dated August 29, 2018. *"Petitioner Townsend"* submitted [*her*] (IFP) Application *dated September 7, 2018*; and later, after receiving *notifications* from [Bankruptcy Court of Delaware]; that a *bankruptcy claim* had been filed by Education Management II, LLC/and Affiliates; notifications letter dated June 29, 2018]; Petitioner filed *"its"* Motion for Summary Judgment for an Immediate Direct Verdict (Separate Claim) and request for Court Appointed Attorney (with supported attachment(s)); *docketed November 9, 2018*. [Appeal No: 18-13560-H]

The Bankruptcy Court of Delaware explained that a Chapter 7 Bankruptcy Case had been filed by Education Management II, LLC and its affiliates. The letter continued to explain, ("Plaintiff"/Party of Interest), to submit a Proof of Claim. **(Document dated June 29, 2018)**

1. Plaintiff/Appellant—(Party of Interest) submitted [her] *"Lien"* and Motion for Injunctive Relief; as ATTACHMENT/w attached Proof of Claim, Evidence of Record, and letter instructing the Bankruptcy Filing Clerk; to file *"all"*, into judicial system. (Plaintiff mailed *"all"*; dated September 27, 2018, and served copies to the following:

22

Debtor
Education Management II, LLC and
Its affiliates
210 Sixth Ave, 3rd Floor
Pittsburgh, PA 15222

Debtor's Attorney
Jay Jaffle
Faegre Baker Daniels LLP
600 East 96th Street, Suite 600
Indianapolis, IN 46240

Bankruptcy Trustee
George L. Miller
1628 John F. Kennedy Blvd.
Suite 950
Philadelphia, PA 19103-2110

2. Plaintiff/Appellant—(Party of Interest), received confirmation from the Bankruptcy Clerk (retrieved from box, on October 29, 2018); the "Documents" (Proof of Claim, 1 of 4pages), affirming the docketed "claim"; on October 1, 2018.
3. Plaintiff/ Appellant—(Party of Interest), notified and Motioned for Injunctive Relief; from the Bankruptcy Courts and parties of interest, of the following;

MOTION FOR INJUNCTIVE RELIEF

1. *[Townsend's] "Lawsuit"(filed February 21, 2017) takes priority over any/all other claims*, filed against Education Management's Bankruptcy Case; because (the *lawsuit—filed in the State of Georgia)* was filed before the Chapter 7 Bankruptcy Case. [The Chapter 7 Bankruptcy Case was filed in the State of Delaware; date filed, June 29, 2018]
2. Henceforth, **no "action" can be commenced in settlement; of the Chapter 7 Bankruptcy Case, until [Townsend's] case is settled in the Court(s) of the State of Georgia; and determination of Award Settlement has been provided.**

3. Further, [Townsend] Motions for Injunctive Relief of [her] Federal Refund(s) of Tax Year 2015' and 2016'; and demands that Education Management *cease* from further violating [her]; when "Wrongfully Offsetting" her Federal Refund(s), going forward, towards the Student Loan False Claim(s).

23

4. Additionally, [Townsend] demands that Education Management *remove* the false claim student loan from her Credit File; of all 3 major Credit Agencies, immediately upon receipt. (Education Management cannot validate the debt claim, because the "student loan claim" was/is created under false pretenses; of their deceptive acts of misconduct. Therefore, it is against [Townsend's] constitutional rights (14th Amendment, Section 1) as well as, the FTC Act, for Education Management, to continue claiming this false claim; which continues to violate [Townsend's] credibility.

Plaintiff/Appellant—(Party of Interest), concluded as [her] statement; that she had provided for the *"courts"(State of Georgia)*, sufficient claims and facts of evidence, as well as, (The Lien and Motion for Injunctive Relief)/as *"attachments"* to the Chapter 7 Bankruptcy Case [held in the Bankruptcy Court of Delaware]; as legitimate **"reasons"** of [her];

MOTION FOR SUMMARY JUDGMENT for an Immediate Direct Verdict (Separate Claim); State of Georgia. (Petitioner filed [her] Motion for Summary Judgment for an Immediate Direct Verdict (Separate Claim); *docketed November 9, 2018*.)

Moreover, Plaintiff/Appellant—(Party of Interest), **Demanded that [her] "charge claims"**; *relief efforts*, **be determined (separately)**; because of the following reasons:

1. In an effort to avoid holding up "settlement claims relief" in the Bankruptcy Court of Delaware; Plaintiff/Appellant—(Party of Interest), Demands that the Court of Appeals of the State of Georgia, **arrange a Direct Verdict Hearing**; for parties (Education Management II, LLC and its affiliates(Defendants'), and Plaintiff/Appellant (Townsend)), to settle upon an **"Award offer for Relief and execution of Relief"**. That she may be awarded in Bankruptcy Court of Delaware, for assessment of interest; immediately for disbursement of funds; by the Bankruptcy Trustee/George L. Miller.
2. In addition, because Defendant(s) U. S. Department of Education—Federal Student Aid/ and "all" associated names—Default Resolution Group, Ombudsman Group, etc., and FMS Investment Corp. ("FMS"); further committed additional violations against Plaintiff/Appellant; [she] Demanded that the Court of Appeals/State of Georgia, **arrange a separate (the word "separately", meaning [defendant(s) described separately and identified in number 1. clause and separately identified in number 2. Clause/and court(s) separately identified "matters" in State of Georgia and "matters" separately identified in State of Delaware]; pertaining *jointly* to "this" matter of interest] Direct Verdict Hearing**; in an effort to settle upon an immediate, *Award offer for Relief*, in the State of Georgia.

24

Additionally, Plaintiff/Appellant requested from the Court of Appeals, *a mediator and Court Appointed Attorney*; **during "both" hearings**, to assure that appropriate measures would be taken in *protecting* Plaintiff/Appellant's rights and claims of relief.

1. [Petitioner] had already requested the Attorney General/State of Georgia (Christopher M. Carr), to assist in interventions and regulating the process of this claim, as well as, keeping him abrupt concerning "matters" of the case action.
2. [Petitioner] also asked the AG to contact all regulating entities, which exist in protecting the interest of consumers and taxpayers, from fraud, particularly [Petitioner], in this matter. In addition, to assuring that all sanctions were implemented to the fullest of the law; and that the "organizations ("Department of Education—Federal Student Aid and such")

executive members and staff were reprimanded, and the "bodies" [policies] were brought into compliance; in accordance to rules and regulations of the laws which protect consumers and taxpayers. To date, [Petitioner] has not heard from the AG (State of Georgia); concerning *"this"* matter.

3. The acclaimed "Order" was issued, however, the presiding "Circuit Judge" failed to write "its" name legible and failed to submit a date of order; however, the attached Clerk's letter was dated January 25, 2019 (Indicating: Notice of Court Action). The questionable *"order"* claimed; Petitioner could not maintain a *qui tam* action on behalf of the United States, and further claiming that FTC does not create a private right of action; additionally claiming "Petitioner" failed to file within statute; of (all counts). Furthermore claiming DOE is not a "debt collector" within the meaning of the Act (stating Petitioner failed to state a claim "plausible on its face"). Concluding to deny "Petitioner Townsends" motion for ("summary judgment"), as well as; deny her right to court appointed attorney, stating "Townsend has not shown exceptional circumstances warranting the appointment of counsel"; further concluding that "Petitioners" appeal is frivolous.
4. Petitioner filed a *Motion for Reconsideration docketed February 6, 2019*, mentioning all facts of evidence, rebuttals, and legal standards of due process; provided for *her*, mentioned within Motion for Reconsideration; yet, the *"Circuit Judges"* failed to Grant [Petitioner *"Townsends"*] Motion!
5. Instead, *Circuit Judges'* Tjoflat and Branch stated *"Because Townsend has not alleged any points of law or fact that this Court overlooked or misapprehended in denying her motion, her motion for reconsideration is DENIED."* (The *document* which appeared to be an *"Order"*; failed to provide date of submission or authentic signatures, validating the acclaimed *"Order"*; however, an attached *letter from Circuit Clerk, was dated March 13, 2019.)*
6. During the course of proceedings, Petitioner received a document from District Judge Leigh Martin May; whereby, the "Order" (relating to another [case action]-National Labor Relation Board et, al.) dated January 23, 2019; brought into "question" Petitioners' case action against Education Management Corp., et, al.; with claims that Petitioner used the judicial system to harass *"its"* opponents, further claiming that the case action was frivolous. [*Petitioner* reserved *her* rights in defending herself against these allegations; and concluded to file *"its"* Writ of Certiorari/w attached Appendix and accompanying "IFP" Affidavit Application; docketed July 30, 2019.]
7. Accordingly, District Judge Leigh Martin May *recused* herself; dated August 6, 2019.

8. On *August 16, 2019*, District Judge Michael L. Brown *Wrongfully Dismissed* [Petitioners' *case action* against Judge Leigh Martin May; thereby **denying Petitioner of *her* right to *redress* grievances'**[the wrongful "order" enforcement/exercise of the *"All Writs Act", initiated on January 23, 2019*, against all of *Petitioners' "case action(s)"; particularly, "this" case action*: (United States ex. rel/Townsend vs. Education Management Corp. and U. S. Dept. of ED, Federal Student Aid/and all associated names, Default Resolutions Group, Ombudsman Group, etc; and FMS Investment Corp. (FMS)].

Further, the "Order" dated August 16, 2019, whereby, District Judge Michael L. Brown Wrongfully Dismissed *"Petitioner Townsends"* **case action** against Education Management Corp., et, al.; further concluded to DECLINE **any** petitions' from *"Petitioner Townsend"*. Thus, concluding to Wrongfully Enforce the *"All Writs Act"*.

Here,

1. District Judge Brown failed to provide *arguable bases,* as to what grounds, he found the *"case action"* to be frivolous; therefore concluding to wrongfully disbar *"Townsend"* of 'hearing' (*Right of Due Process*), that *she* may be able to defend *herself;* against the allegations stated by District Judge May (who wrongfully dismissed the *case action*; claiming *exceeded statutory limitations* and FURTHER concluded to violate Petitioners' rights when *wrongfully exercising the "All Writs Act"*); (thereby, Judge May concluding to falsely claim that the "case action" was frivolous and concluded to question the validity of *"Petitioners"* integrity); upon the filing of *her* lawsuit against [Education Management Corp. et, al.]; of the *"Order"* pertaining to the *"case action"* completely unrelated to the *subject matter of jurisdictions*, the *case of;* United States ex rel./Townsend v. National Labor Relations Board. **[Hence, Judge Brown wrongful *"Order"*, continues to stifle/hinder the *"case action"* [United States ex rel./Townsend v. Education Management Corp. et, al]; to allow for *relief be granted Petitioner, in "this" matter and continues to violate Petitioners' Constitutional Rights.* [Constitutional violations include; Articles 1, Article XIV Section 1, Article III.2, and depriving rights under color of State.]**
2. Additionally, District Judge Brown wrongfully DECLINED ("emphasizing the word"); as if, to take offense because *"Petitioner Townsend"* filed *her*

(Complaint) against Judge Leigh Martin May; therefore, concluding by (what appears), to show favoritism; as opposed to exercising the *law,* without being bias in *"its"* determination; when expressly referencing the "Order" dated January 23, 2019, thereby; specifically identifying certain statements of enforcement (the wrongful exercise of the *"All Writs Act"*) with clarity, and concluding to do the *same* as stated in the referenced "Order".

3. Further, Judge Brown continued by concluding to emphasize the word "DECLINE", once again; however, this time grossly discriminating against *Petitioner Townsends'* ("IFP") Application to proceed in forma pauperis; when stating and emphasizing the following statement: "and DECLINES to approve any *request to proceed in forma pauperis* (Dkt. 1)".....
   - Therefore, concluding to make determinations without allowing *right of due process* of the (IFP) application; in according to the determinations of financial status of *"its"* right of applying. [*In accordance to 28 U.S.C. & 1915 (a)(1)* and Federal Rule of Appellate Procedure 24.

REASONS FOR GRANTING THE PETITION

27 "Petitioner Townsend" compels the *"Justice"* to make determinations, with *consciousness* of [its] *oath of duty!* This *"matter"* concerning ("Student Loans") is of national importance; because many "politicians", (during this period of election time Year' 2020), has made "it" (Student Loans "matters"); a *key issue* of topic. Therefore, concluding that [its] importance; is of national concern, because these "matters" directly affects the public interest. [While some candidates of the electoral ("parties") "discussions" are about cancelling the debt, all together; other ("parties") are claiming "impossibility", of cancelations of the acclaimed 1.6 trillion student loan debt claim.]

However, "Petitioner Townsend" has provided sustainable evidence, which proves, not only was the (student loan debt claims) in [her] particular "case action"; were false; but, certain members of the ["Department of Education" and associated "government agencies"] assisted in the *illegal acts* of misconduct! These *"illegal acts"* initially performed by Education Management, et., al.] imposing the *"False Liability"*, whereby, the ["Department" and other agencies'] attempted to *cover up* the "acts of misconduct", concerning the Fraudulent Claims; stated against Ms. Townsend. Thereby, wrongfully concluding to hold *"Townsend"* and the government; liable for the "manufactured" debt claims. (Hence, certain members of the [Department] and members of the agencies'; rightful duty was to protect the

interest of "Petitioner Townsend"; once evidence concluded that the *"claims"* were, indeed, false!)

Yet, because certain members of the ["Department", et., al] failed to demonstrate integrity and loyalty of [its] oath, by protecting *"citizens"*, such as "Petitioner Townsend"; when failing to make determinations according to the laws outlined in the constitution; these 'members' have failed "Petitioner", as [it] relates to *"Townsends"* (case action) in *"this"* matter. Additionally, [its] actions, also indirectly affects the public's interest, as well! (Hence, although Ms. Townsends' *"case action"* are claims of violations, committed against [her]; which were performed by Education Management, et., al; the *'Judges'* failure to adhere to the constitution of "Townsends" *case actions*, (when wrongfully decreeing *its'* "discretionary determinations" more favorable for defendant(s)); directly affects all American Citizens! Insofar as, failure to make *just* determinations (under the governance of the U.S. Constitution); violates and affects everyone. These *unjust* "actions" are called (Judicial Breach of *"its" oath of duty* under the United States Constitution of America); these are grievous violations; therefore, the *"Justice"* should uphold [it's] oath of duty!

Moreover, the public should be aware, that unethical and illegal behavior; does exist in the *governments system*. However, while certain members of the government stride to maintain [its] integrity and proceed to uphold *its* duties; there are others, in the government system that fail to maintain its commitment of judging justly; by protecting the public's interest. As such, the public should be granted procedural guidelines; which would outline and identify discrepancies' of student loan fraud, and provide contact information of *"advocates services"* who will protect (the public) against suspicious activities relating to student loan fraud. Additionally, the [Department of Education *"Services"* and its affiliated agencies'] should be held accountable for [its] failure to protect the interest of the *"public"*; particularly in the case of *"Townsend"*. Further, because these *"government entities"* were created to protect the interest of the public; yet, members of [its] *body* were caught in the very act of conspiring to cover up ("Student Loan Fraud"), particularly in the case matter of "Townsend; (thus, concluding to wrongfully hold "Petitioner Townsend" and the government (tax payers) liable for all violations committed); the *"Nations"* [U. S. debt interest] concerning the 1.6 trillion student loan debt interest, should be cancelled! This *"act"* would demonstrate that the "Department of Education" and all other *government agencies* connected to the wrongful doings, in *"Townsends"* case action; are taking *steps* to righting [its] wrong. Furthermore, the 'Courts' should assure that *"Townsend"* is *granted relief* on all counts. Hence, the *"Judicial*

System" (Supreme Court Justice); would make that possible, by holding [its] *courts system* accountable to judging *justly, in the matters of "Student Loan Claims"*; particularly in "Townsends" case action!

CONCLUSIONS

IV. ("Mandamus") JURISDICTION

The Court's appellate jurisdiction is invoked because;

a. District Judge May failed to discern appropriately, that the *"Offset(s)"* would be described as, ("claims of *validations of the debt claims); yet, "Petitioner Townsend" has proven that the "claims" were/is "False Liability Claims".* Therefore, the *Defendant(s) Wrongfully "Offset" Plaintiff's Federal Tax Refund(s) towards the "False Claims Liability"*; hence, ["they"] could not validate the claim(s); because *"the claim(s)"* were created under false pretenses! Thus, the Wrongful "Offset(s)"; reset the statutory clock! (*Heffelfinger v. Gibson*, 290 A.2d 390)

29

Concluding; that Judge May failed to consider "evidence of record" (the document which reflects statement from Department of Education, wrongfully "offsetting" [Petitioner Townsends'] "Refund(s) towards the (False Claim Student Loan); document dated June 15, 2016. [Instead, Judge May wrongfully dismissed "Petitioners" (case action) claiming; exceeded statutory limitations on all counts, of the *"Order"* dated July 23, 2018]

b. Moreover, the *circuit judges'*, should have allowed [Petitioners'] request for hearing(s), *"separate case"*; and mediator, as well as, court appointed attorney; upon *her* submission of Motion for Summary Judgment/Direct Verdict hearings ("separate case(s)"—State of Georgia), docketed November 9, 2018, against Defendant(s); because *she* provided *just cause of her (Priority Case Action)*; for demand request. (Record of Evidence: Bankruptcy Chapter 7 Case filed in Bankruptcy Court—State of Delaware)

c. The (Circuit Judges') *"Order"*, also failed to consider all supported evidence (the *statutory reset—"the document dated June 15, 2016"; whereby, the Department of Education acknowledged in the letter, that they offset "Townsends" Federal Refund 2015' towards the Fraudulent Student Loan Claims; the "document" which reset the statutory clock!);* thereby, also concluding to Wrongfully Dismiss [Petitioners'] "Complaint" and ("IFP")

Application, on January 25, 2019; when agreeing with lower court Judge May's determination of the (case action), claiming *"exceed statutory limitations for relief"*! [**Please Note:** The *"Circuit Judges"* who ruled on *this* (case action) failed to write name legibly, failed to print name under signature, and failed to provide submission date. However, the Clerk of Circuit Court/David J. Smith attached "notice" to the [acclaimed "Order"]; the attached "notice" dated January 25, 2019.]

d. Moreover, upon [Petitioners'] submission of *her Motion to Demand Reconsideration* docketed February 6, 2019; [Petitioner] mentioned all facts of evidence, rebuttals, and legal standards of due process; provided for *her*, in Motion for Reconsideration; yet, the "Circuit Judges" [Tjoflat and Branch] failed to adhere to the constitutional provisions of law, which protects "Townsend", in this matter. (No date of submission; however, attached clerk's letter dated March 13, 2019; the *"judges"* failed to sign the *"Order"* and failed to provide the date of submission.)
e. *Further*, [Petitioner] concluded that District Judge May and "Circuit Judges" also failed to consider that Department of Education/Federal Student Aid and all associated names; including Default Resolutions, Ombudsman Group, and FMS Investment Corp. further committed wrongful acts; when concluding to *cover up* all wrongful doings committed by Education Management. These very *acts committed* by these government agencies, organizations, and collection agency; when denying [Petitioner] her Federal Refund(s) due to her extreme hardship (upon having full knowledge that [Petitioner] was not liable for the false claims), refusing to discharge the entire false claim student loan (after learning that the consolidations document, could not be validated nor enforced); because it is manufactured/falsely created to defraud Townsend and the government, refusing to remove the false claims student loan from [Petitioners'] credit files, (during investigations and after completion of investigations which concluded that Defendant(s) were guilty of Fraud, deceit, manipulation, and forgery); when placing the false claims back on [Petitioners'] credit file wrongfully! These *actions reset the statutory time*; as it relates to [Petitioners'] claims for *Relief* against these defendant(s).
f. Petitioner further states; upon all evidence, facts of laws, and constitutional providence which "Petitioner Townsend" filed in [her] "Complaint"; District Judge Brown should have re-instated "Petitioners" claim (Priority RELIEF), revoked Judge May's "Order(s), especially the wrongful enforcement of the "All Writs Act" (Order dated January 23, 2019); forwarded all to Attorney General, in efforts of intervening [ex relatione'], concerning all case action(s)

"Petitioner Townsend" ever filed in the "courts", for relief; particularly "this case matter". This would have allowed the AG ample time to initiate/implement a plan of action; to protecting *"Petitioners"* rights; going forward! Instead, Judge Brown wrongfully concluded, to further; *enforce* the "All Writs Act"!

- ***In fact, the lower courts' have repeatedly violated "Petitioner Townsends" rights of Due Process; in "the" matters.*** Thus, violating *"Petitioners"* constitutional rights to fair hearing(s). **The Court's appellate jurisdiction is invoked because;** Articles I; Articles III Section 2; Articles XIV Section 1; and Articles XIV Section 2; and deprivation of rights under color of State.
- **Additionally, because** District Judge Brown specifically DECLINED *"Petitioners"* **case action** when stating; "Therefore, the Court DECLINES to grant permission for Ms. Townsend to file her proposed complaint (Dkt. 1-1) and DECLINES to approve **any** request to proceed in forma pauperis (Dkt. 1)"...[2nd page of the "Order" dated August 16, 2019]; the Court's appellate jurisdiction is invoked because; [*In accordance to 28 U.S.C. &* 1915 (a)(1) and Federal Rule of Appellate Procedure 24.

& 1915 (a)(1) provides: [A]ny court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or give security therefor. Such affidavit shall state the nature of the action, defense or appeal and affiant's belief that the person is entitled to *redress.*]

V. **Exceptional circumstances warrant the exercise of the Court's discretionary powers because;**

1) District Judge Leigh Martin May, wrongfully exercised the *"All Writs Act"* on *January 23, 2019;* and concluded the *"order"*, by drawing into *question* **all** case action(s) *Petitioner Townsend* ever filed into the *"district";* thus, exercising the wrongful *"writ";* without *subject matter jurisdiction*! [The **"case action"** (*United States ex. rel./Townsend vs. National Labor Relations Board, et., al.);* by which Judge May wrongfully used the exercise of the *"All Writs Act";* the *case action*, which is a (Procedural Matter Redress); the *re-filled* case action docketed; December 17, 2018. There was ***no cause of action*** for Judge May to exercise the *"All Writs Act"!*]

2) If Judge May believed that [it] was necessary for her to exercise authority to Enforce an [ALL WRITS ACT] against Plaintiff-Appellant; (of the *"Order"*; issued in the case action (*United States ex. rel./Townsend vs. National Labor Relations Board, et., al.*; docketed December 17, 2018), the *subject matter of the "case" presented*; concludes, that *"it"* was not the proper forum to do so.
3) The exercise of (this) "ENFORCEMENT", must provide factual evidence proving that *"Plaintiff-Appellant"* used the judicial machinery (*"to harass"* [her] opponents),
4) Judge May's arguments must be presented in proper forum, which includes mediation; to address (the *"matters"* of the *"acclaimed"* encroaching the system)
5) Judge May violated Appellants' (other "case" matters); when bringing up "case(s)" unrelated to the *"Subject Matters"* of the "case action", therefore violating Appellants' "case(s) of Due Process and demonstrating acts of prejudice; on [all] counts.

"Petitioner Townsend" has shown proof, why *"this"* case action; should never have been drawn into question; as it relates to the wrongful exercise of the *"All Writs Act"*, exercised by Judge May; on January 23, 2019. [No *subject matter* jurisdiction to issue the *"All Writs Act"*].

32

VI. Further, Exceptional circumstances warrant the exercise of the Court's discretionary powers because;

The following outlines, as [it] relates to the (actual) *"case action"*; whereby, Judge May, made determinations of *issuing the wrongful "All Writs Act"*:

1. This *matter* came back before the United States Court of Appeals—State of Georgia; to address concerns; whereby, [Circuit Clerk of Court/David J. Smith]; brought into question, the *acclaimed* (*prosecutorial defect*); of *Petitioners'* (*case action "against"—NLRB et, al.*); the *"case action"* which was DISMISSED on December 20, 2017.
2. *Petitioner—"Townsend"* re-filed the (*"case action"; docketed December 17, 2018),* as indigent person *("IFP")* Applicant; thus, the (case action—Amended Redress *"Prosecutorial defect"*) was filed in the *District Court*, for that *purpose*; in efforts of determining the ("IFP") Application status and

correcting *"matters"* of defect. Once addressing the *matters*, the *District Judge* was supposed to forward *Petitioner—"Townsends"* (Complaint) to the appropriate court for *Redress*, in efforts of *reinstating* the (*"case action"*) to *"its"* rightful place; before the case action was wrongfully DISMISSED.

3. *Petitioner—"Townsend"* disputed the matters (*prosecutorial defect*); whereby *she* provided for the *Courts*, by exercising [her] rights in accordance to **Rule 15(c)(1)(B)** (*relating back*); and In according to **Title IV. Rule 15. (a)(1)(C)(4)** (Review or Enforcement of an Agency Order—How Obtained; Intervention); and **Rule 60(b)** (Relief From a Judgment or Order); **and Article III Section 2.**
4. *Petitioner—"Townsend" concluded,* (once providing the *courts* with [*her*] legal rights for *redress* of the *"agency' decision"* for ***review***) *by stating;* "the *"matter"* of defect; whereby the 11th Cir. Clerk/David J. Smith, (brought into question) the issues concerning (IFP) Application discrepancy; this *"matter"* should have been addressed without *"barring"* Plaintiff—Appellant from [her] rights to claim!" *Further, Petitioner—"Townsend" demanded that the Courts;* prepare the (*case action*—Article III) for AN IMMEDIATE SUMMARY JUDGMENT/DIRECT VERDICT HEARING.
5. District Judge/Leigh Martin May, began *violating Petitioner—"Townsends" rights*; by wrongfully judging the (*"case action"*) and *further concluding* to wrongfully *exercise* the ***"All Writs Act"***; of the *"Order"* dated January 23, 2019 ; instead of preparing the (*"case action"*—Article III mode), by forwarding *Petitioner—"Townsends"* (*"Complaint"*) to Eleventh Circuit Court of Appeals, *for Redress.* (Therefore "Petitioner Townsend" concluded; the *"All Writs Act"* was *wrongfully exercised and enforced*!)

33

It appears that Judge May used the exercise of the *"All Writs Act"* as a form of reprimand, to intimidate and/or retaliate against Plaintiff—Appellant; for bringing the *"case action"* against (these) "government agencies"; in (this) *"matter"* [United States Department of Education, Federal Student Aid (to include, all associated names), Default Resolutions Group, and Ombudsman Group (are specific *parties* of (this) claim)], **and also because [*Appellant--Townsend*] filed as; indigent person *forma pauperis*.**.

- *"Petitioner Townsend"* argued all of these concerns; when exercising her rights of, but not limited to; described in [her] *"Writ of Certiorari"* docketed July 30, 2019:

✓ **[CONCLUSIONS.] Exceptional circumstances warrant the exercise of the Court's discretionary powers because;** *"Petitioner Townsend"* further, provided *evidence* proving that Judge May misused the exercise of the *"All Writs Act"*; therefore, concluding that *the judges'* "**actions**" *demonstrates wrongful and abusive use of power*; to include *discrimination* and *"acts of bias judgments"*, against [Petitioners'] ("IFP") Application docketed August 23, 2018; and Wrongful Judgment(s) in *favor* of "Defendant(s)", of the "Order(s)" docketed July 23, 2018 and August 24, 2018; the lawsuit concerning Education Management et, al./Defendant(s)!

- "Petitioner Townsend" argued all of these concerns, but not limited to; when exercising her rights of;

Jurisdiction & Venue & 1343. Civil rights and elective franchise

(b) The district courts shall have original jurisdiction of any civil action authorized by law to be commenced by any person:

(5) To recover damages for injury to his person or property, or because of the deprivation of any right or privilege of a citizen of the United States, by any act done in furtherance of any conspiracy mentioned in section 1985 of Title 42;

(6) To recover damages from any person who fails to prevent or to aid in preventing any wrongs mentioned in section 1985 of Title 42 which he had knowledge were about to occur and power to prevent;

(7) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States;

(8) To recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote.

34

The Courts' discretionary powers are invoked because; District Judge Brown failed to *adhere to the laws*, which *"Petitioner Townsend"* outlined in [her] *Writ of Certiorari*; docketed July 30, 2019. Yet, instead; Judge Brown *wrongfully concluded to enforce* the *"All Writs Act"*.

VII. Additionally, *"Petitioner Townsend"* has gone through a rigorous process, from all *"Courts of Jurisdictions"* (State of Georgia); pertaining to **all** case action(s) mentioned by District Judge Leigh Martin May, of the *"Order"* dated January 23, 2019. And each ("case action") *"Petitioner"* filed, *she* has provided for these *"courts"*, evidence which proves (fruitful) on all [her] case action(s); ***yet, adequate relief cannot be obtained in any other form or from any other court of jurisdiction.*** [The *"Courts"* **failure to allow**

Right of Due Process and fair hearing(s); for *relief* to be granted; concerning any of *"Petitioner Townsends"* filed case action(s)!] *Petitioner reserves her rights of fair hearing(s) and equitable relief of all case action(s); mentioned in the "Order" dated January 23, 2019.*

As such, *Petitioner Townsend* files *"its"* Writ of Mandamus to compel the 'Justice' to perform (its) official duty; in this matter, and *asks* that the Supreme Court of Washington, to initiate the Brady Compliance Order against the *"judges"*; as well as, submit request to *Congress* for removal of office; in accordance to Articles XIV Section 2.

Petitioner further states;

All official duties should be faithfully performed; and whenever, from any cause, a defect of legal justice would ensue from a failure to perform or from improper performance, the *writ of mandamus* may issue to compel a due performance, if there is no other specific legal remedy for the legal rights. [&9-6-20.] Enforcement of official duty; inadequacy of legal remedy

35 *"Petitioner", henceforth, submits "its" Corrected Mandamus and attached Appendix, which includes the (IFP) application, a copy of "Writ of Certiorari" docketed July 30, 2019 (appendix to), and additional required documents.*

"Petitioner Townsend" files [its] *"Writ of Mandamus"* **(case action)**, [United States ex., rel./Townsend vs. Education Management Corp., et, al.].

Additionally, *"Petitioner Townsend" reserves* (her) right, to attach all (case action(s)), mentioned (on the *"Order"* dated January 23, 2019; the wrongful exercise of the *"All Writs Act"*); **attached [separately]**, *but jointly;* to *"the"* matter of jurisdictions. ***(Notice: The "Order", dated January 23, 2019, (the wrongful exercise/enforcement of the "All Writs Act"); hence, automatically "stays" all other case(s)), for redress of grievances, be attached (separate case action filing); to [its] "Writ of Mandamus".)***

"Petitioner Townsend" moves the 'courts' and request that [she] be extended additional time; to prepare all (joint) [case actions], mentioned in the wrongful "Order"; dated January 23, 2019.

Please find attached Motion to Extend Time.

"Petitioner Townsends" (Writ of Mandamus) should be granted; in holding to the United States Constitution of America, which is the *Supreme* law of the land.

Submitted, this 7th *day, March 2020.*

Aretha Townsend

Aretha Townsend/(IFP) Applicant—Pro se Petitioner

P.O. Box 1197
Austell, GA 30168
770-361-8359

CERTIFICATE OF COMPLIANCE

1. The foregoing MOTION TO PROCEED IN FORMA PAUPERIS and PETITION FOR WRIT OF CERITORARI; complies with the type-volume limitation of Fed. R. App. P. 32(a)(7)(B) because the Petition contains 11,902 words; minus the exclusion pages of exceptions.
2. The foregoing Petition complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this Petition has been prepared in a proportionally spaced typeface using Microsoft Word 2007 in size 12 Century.

[Copies provided for the following *("Government Officials")*; to initiate interventions on [Petitioners'] behalf, in *this* matter.]

Cc: State Atty. Gen./Christopher M. Carr(State of GA)

State Atty. Gen./Kathy Jennings(State of Delaware)

NOTICE: *Petitioner reserves her rights (Articles XIV Section 1)* to protect and defend herself against the false allegations stated by District Judge/Leigh Martin May; of the "Order" dated January 23, 2019. Petitioner therefore, exercises *her* rights (protected under the Constitution); therefore, concluding to submit as "Record of Evidence" [attached to appendix], the (case action); in efforts to address *"violations"* committed against *(her)*, when Judge May wrongfully exercised the use of the *"All Writs Act"*, *the case action of*:

[United States ex, rel. Townsend/Plaintiff—Appellant vs. National Labor Relations Board—General Counsel et, al./Defendant(s)];

when mentioning and concluding to exercise *"Writ"* concerning (case action) *"Education Management et, al./Defendant(s)"*. Hence, Breach of Confidentiality does not apply under *these* particular circumstances; because the ***"BREACH"*** was broken when Judge May implicated *"this"* lawsuit into the (case action). [Petitioner attaches *"Order"* dated January 23, 2019; as *Record of Evidence*, concerning *violations' and wrongful exercise of the "All Writs Act"*; initiated by District Judge/Leigh Martin May.]

AFFIDAVIT STATEMENT

I, Aretha Townsend, am a United States *'Citizen'*, born in the [State of Mississippi; Montgomery County]; and I have the right to *petition the "Courts" for Redress of grievances*, concerning *"this"* matter; in accordance to the United States Constitution of America [Articles I, Article III. Section 2, Article XIV. Section 1, and Article XIV Section 2.]. I reside in the State of Georgia and my *petition* is for the set purposes:

> Invoke and Enforce efforts to investigate, for oversight, to reprimand/remove (violators' of the United States Constitution of America), and to Grant *Relief* for Petitioner; as well as, Enforce compliancy of *'Right of Due Process'*; thereby providing fair hearing(s), the case(s) mentioned and brought into question, particularly *"this case action"*, of the *"Order" issuing the exercise of (the "All Writs Act")* dated January 23, 2019; presiding Judge Leigh Martin May, and *wrongfully enforced* by District Judge Michael L. Brown (State of Georgia); on August 16, 2019: **[UNITED STATES ex relatione' Townsend/Plaintiff—Appellant vs. EDUCATION MANAGEMENT CORP.], And [U.S. Department of Education—Federal Student Aid/ and "all" associated names- Default Resolutions Group, Ombudsman Group, etc.], And [FMS Investments Corp. (FMS)]; Defendant(s)—Appellee(s).** District Court Docket No: 1:17-CV-00639—LMM; Appeal Number: 18-13560-H; (Civil Action No. 1:19-MI-0122-MLB)

38

This *"Statement"* of which I am providing; is true and correct, to the best of my knowledge.

Aretha Townsend

Witnessed by my hand this 7th day of March 2020.

Aretha Townsend/Petitioner

Pro se (IFP) Applicant

Kascia Lipford

Public Notary Signature

KASCIA LIPFORD NOTARY Comm. Exp. GEORGIA Mar. 3. 2023 PUBLIC DOUGLAS COUNTY, GA

(Attachment(s) Included)