

No. 19-8001

**IN THE
SUPREME COURT OF THE UNITED STATES**

Valery Vinarov

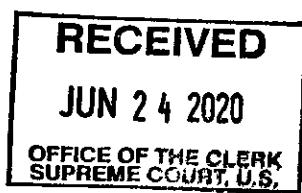
- Petitioner

VS.

CitiMortgage, Inc. and JP Morgan Chase
- Respondents

**Petition for Rehearing of Erroneously Denied Petition for Writ of
Certiorari**

Please, send US Supreme Court Order signed by Judge(s), not Clerk.



NOTICE IS HEREBY GIVEN pursuant to Rule 44. that a petition for rehearing of denial of writ of certiorari in the above-entitled case was filed in the Supreme Court of the United States on or before June 4, 2020.

On May 18 Supreme Court entered order denying Petition for Writ of Certiorari in above mentioned case – order delivered on May 23, 2020.

Addition – New Information to Petition for Rehearing and Response to Correspondence dated June 04,2020

By denying Petition for Writ of Certiorari, US Supreme Court validated violation of Irina Vinarov Property Ownership Rights guaranteed by US Constitution Fifth and Fourteenth Amendments. Property Ownership Rights institute foundation of all other rights, including the right to be free. **It is 4th (fourth) instance in entire US Supreme Court history when it refused to adjudicate violation of Property ownership Rights.** Why? because Irina is US Citizen of Russian origin? As one judge stated – Russians do not have any rights in this Country!!! US/Illinois courts, instead of reviewing and adjudicating on merits Irina claims – irrefutable evidences of Irina ownership (Appendices E, F and G in Petition for Writ) – the Illinois Appellate Court prohibited Irina even to claim her Property ownership rights and eliminated her as entity/human, with objective to support property stealing in favor of banks that committed financial fraud, falsification of documents and violation of multiple laws, and Judges acting as accomplices to said violations. It appears that by denying Petition for Writ, US Supreme Court joins the war on US Constitution and declares that US Citizens, specially minorities and elderly have no rights and can be abused/discriminated any way, shape or form.

Illinois Appellate Court went as far as refusing to adjudicate Fraud (Appendix O in Petition for Writ)– unheard instance in US Jurisprudence and US Judicial System history.

By denying Petition for Writ, US Supreme Court validated fraud committed by US Banks and

their attorneys, and US courts acting as accomplices to criminal acts.

CitiMortgage:

1. Filed False claims against Vinarov based on unilaterally modified – falsified mortgage.

Proven fact – **Citi Consented** (Appendix H in Petition for Writ).

2. Citi Filed False Claims against Vinarov who is not an owner of the Property. Irina Vinarov is the true and absolute owner of the property as declared by Law, by paying Real Estate Taxes for 7 consecutive years (actually more than that). (Appendix G in Petition for Writ). **Taxes have priority over any other claims.**

3. As a matter of law, Judgment of Foreclosure (Appendix 1) had to offer terms and conditions for Property redemption. Compiled by Citi attorney Greg Elsnic, Judgment of foreclosure contains fabricated, falsified redemption amount - based on fraudulent financial statements. Paragraph 3 of Judgment of Foreclosure states: “That the material allegations of the Complaint filed herein are true and proven; that the equities of this case are with the Plaintiff who is entitled to a Decree of Foreclosure in accordance with the prayer of the Complaint; and that there is, at this time, due to said Plaintiff upon the Note and Mortgage security, each of which has been in said Complaint described, the following amounts”:

Principal	\$	185,127.37
Accrued Interest Through May 21, 2015	\$	52,959.68
Interest From May 22, 2015 Through November 4, 2015	\$	4,235.10
Client Advances	\$	79,811.83
Real Estate Taxes	\$	57,705.93
Hazard Insurance	\$	11,169.00
Previous BK Fees Costs	\$	800.00
Property Inspections	\$	568.50
Interest on Escrow Advanced	\$	6,645.34
Other Escrow (Water/Sewer Meter Bill)	\$	2,923.05
Attorney Fees and Costs	\$	<u>8,996.00</u>
Total Due	\$	331,129.98

Said fabricated amounts irrefutably constitute financial fraud and Tax Evasion. Citi's Mortgage was discharged in Bankruptcy Chapter 7 and equals to 0 (zero) – Vinarov does not owe Citi anything, not a penny. Vinarov paid for Hazard Insurance (cancelled checks and Insurance statement in case record).

1. Hazard Insurance – Paid by Vinarov - fraud by Citi attorney.
2. Water/Sewer Meter Bill(s) – Vinarov paid and is current with water bills (canceled checks in record) - fraud by Citi attorney
3. Previous BK (Bankruptcy Fees for which Vinarov paid to another attorney – bare face financial fraud.)
4. Elsnic included in calculation of amount owning Client Advances - \$79,811,83. What client advances??? Did Elsnic took advances??? CitiMortgage produced Notarized Affidavits (in court records) reflecting Mortgage Security amounts. Produced by Citi Affidavits do not contain Client Advances – not existent. **Vinarov never applied for, nor Received Client Advances. Elsnic fabricated Client Advances with objective to inflate Redemption Amount and make redemption impossible - to steal property, and with objective of Tax Evasion. Bare face, irrefutable financial Fraud. Fraud is a criminal offence. Attorney Elsnic and judge who knowingly and willingly validated Financial Fraud - acted as accomplice to the crime should serve time.**

As a matter of law, Citi attorney had no right to calculate interest on discharged in bankruptcy (Chapter 7) loan – irrefutable financial fraud, barred by Bankruptcy Law.

5. Citi attorney had no right to calculate interest on paid by Vinarov “Other Escrow” – Water/Sewer meter bill.

Note: Per IRS support specialist, all of financial statements enlisted in Judgment of Foreclosure are tax deductible. Fraudulent amounts enlisted in Judgment of Foreclosure constitute Tax Evasion. **The total amount of fraudulent, Tax Deductible statements equal to \$158,544.01**

Financial fraud in the most important part of the Judgment of Foreclosure establishes/proves irrefutable fact – **Judgment of Foreclosure is Fraudulent and invalid.**

It is obvious, Judgment of Foreclosure is a Root Cause of all subsequent actions, including, but not limited to Sale of the House, which is fraudulent and invalid as it derives from fraudulent and invalid Judgment of Foreclosure.

Chase/WaMu

Chase filed False claims against Vinarov based on declared by Law fraudulent loan originated by WaMu in gross violation of Ability to Repay provision – TILA; HOEPA and (815 ILCS 120/) Illinois Fairness in Lending Act; (815 ILCS 137/); Illinois High Risk Home Loan Act; (815 ILCS 505/) Illinois Consumer Fraud and Deceptive Business Practices Act. It does not require Rocket Scientist to understand that Vinarov could not repay any loan from his \$582.50 monthly income.

In Deutsche Bank National Trust Company, vs. FDIC - Case 1:09-cv-01656-RMC.

Court declared: “Acquisition of WaMu by Chase is governed by Purchase and Assumption Agreement (PAA), which defines “Liabilities Assumed” by Chase to mean those “reflected on the Books and Records of WaMu”. Vinarov Loan was on WaMu books. Chase irrefutably assumed liabilities for WaMu fraudulent actions.

Filing False Claims constitutes Fraud upon the Court.

Chase Breach of Contract. Shortly after assuming WaMu, Chase irrefutably breached Contract/Mortgage by prematurely terminating Credit Line without any grounds substantiated by evidence(s) supporting/justifying termination, and Chase has no grounds to support actions against Vinarov. Under terms of PAA Chase purchased both, rights and obligations of WaMu according to terms of mortgages purchased thereunder, subject only to specific exclusions of liability contained in PAA. **None of the exclusions in PAA relieved Chase of liability for its own acts after Chase undertook WaMu’s rights and responsibilities on September 25, 2008.**

Equity Plus Agreement (WaMu-Vinarov), assumed by Chase and all security instruments securing loan, made Chase fully aware of Vinarov’s financial circumstances. Chase had knowledge of business purpose of the loan, had actual knowledge of appraisal method used to

determine the value of Vinarov's house, and knowledge of house value, as appraised by WaMu prior to September 25, 2008.

WaMu promised Vinarov unlimited credit. It would be suicidal to accept loan of \$250,000 when conservatively speaking, business development required tens of millions of dollars investment. In US, 85% of all start-up companies failed due to inappropriate funding. If Vinarov would have any inkling that credit line would/could be terminated at \$200,000, he would not have ever accepted the loan. Just establishing of production/manufacturing, marketing/advertisement, sales and support of unique amphibious vehicle would require hundreds of millions. Irrefutably, WaMu defrauded Vinarov by convincing him to enter into Equity Plus Contract.

As of April, 2009 Vinarov had drawn only \$200,000 against his credit limit of \$250,000. Vinarov required additional advances against his credit limit in order to sustain business operations and pay his living expenses during period of business development, including payment of his loan obligations to CitiMortgage and to Chase, all of which was known to Chase by virtue of documents it received from WaMu.

Equity Plus Agreement, Paragraph 11(b) states circumstances under which bank had right to suspend advances under line of credit. None of various grounds upon which Paragraph 11(b) gave Chase right to suspend additional advances occurred prior to April of 2009.

By prematurely terminating Equity Plus Agreement, Chase destroyed Vinarov financially, eliminated 401K Savings (\$250,000) invested into business development, eliminated labor costs invested into business development. Chase destroyed a very lucrative business, causing enormous business losses to Vinarov and 6 prominent Russian companies who signed contracts with own by Vinarovs company (in assumption that business will be appropriately funded as promised by WaMu).

US/Illinois Courts. Illinois courts, by denying Irina Vinarov petition for intervention and prohibiting her to file Illinois 2-1401 (Federal rule 60) Petition, with unlawfully manufactured excuses, **grossly violated Irina's Property Ownership Rights Guaranteed by US Constitution – 5th and 14th Amendments.**

By denying Petition for Writ, US Supreme Court validated violation of Constitutional rights – essentially declared that US Constitution worth absolutely nothing, that common Citizens' rights can be violated by large corporations – Banks, and that US citizens are good just for collection of their votes by politicians' for elections, and under any other circumstances can be treated as dirt. Those who studied history, are well aware, that even Nazis and Communists did not do that.

US/Illinois courts avoided, refused adjudicating financial fraud. Illinois Appellate Court went as far as formally refusing to adjudicate Fraud (Appendix O, Petition for Writ) – **unheard instance in history of US Jurisprudence and Judicial System – approved stealing of Property by Banks..**

By Denying Petition for Writ, US Supreme Court declared that it is perfectly fine for US Banks commit Financial Fraud and for **US Courts to validate financial fraud, robbery of common US Citizens, stealing their properties.** Financial Fraud, falsification of documents left unpunished, became everyday business practice of US Banks. There are over 25 million foreclosures in US, which destroy US economy. **Perhaps, US Supreme Court promotes destruction of domestic economy, perhaps, it believes that country does not need new businesses and new jobs.** In reality, as a result of US Courts dysfunction and promotion of Banks' criminal activities, the country rapidly progresses to becoming a third world economy, without any potential to restore its position as an economic superpower. In that case, so be it.

It is direct US Supreme Court obligation to bring order in US Courts, assure that

Judges performance is in compliance with Law and US Constitution. That reason alone substantiates and guarantees acceptance and adjudication of Petition for Writ of Certiorari.

Judges of this Court forgot, that there is Judge above all of us, and that all of those who touched Vinarovs' property, who either directly or indirectly was involved in stealing and/or validation of everything Vinarovs worked for their entire lives, will be punished, that every penny stolen from Vinarovs will turn into millions of disease for them and many future generations of their.

Vinarov respectfully requests Supreme Court of the United States to enter a grant, vacate, remand order (GVR order) in which the Court grants a petition for certiorari, vacates the decision of the court(s) below, and remands the case for further proceedings.

The GVR order is most frequently used when a judgment of a lower court has been called into question by a subsequent decision of the Supreme Court. Rather than giving such cases full merits consideration on the one hand or simply denying review on the other, the Court uses the GVR procedure to return such cases to the lower courts so that the lower courts can apply the Supreme Court's new precedent and make any necessary modifications.

Addition to Petition for Rehearing – New Facts (Information)

There is not, nor possibly can be anything new in Irina Vinarov and Valery Vinarov cases.

It is not new that US Banks are heavily involved in criminal activities of documents unilateral modifications – falsifications throughout entire country; it is not new that banks commit financial fraud and tax evasion; it is not new that banks violate people constitutional rights and discriminate minorities and elderly; it is not new that US lower courts deny Pro Se Litigants of basic rights to present evidences and ignore/fail to hear/review presented evidences with primitive excuse – "you do not understand Law". (Really? Or judges

GROSSLY misinterpret/misrepresent LAW and US CONSTITUTION in Pro Se cases (97% lost), and GROSOLY misuse and abuse office/bench powers given to them by AMERICAN PEOPLE to HONER, RESPECT CONSTITUTION and to serve AMERICAN PEOPLE?); it is not new that lower courts (with rare exception) refuse to adjudicate Fraud. In Irina case, **Illinois Appellate Court refused to adjudicate Fraud** – documented (see Petition for Writ of Certiorari). **That Fact alone should guaranty acceptance of the case by US Supreme Court**, unless Supreme Court supports and validates Fraud committed right under the US Judicial System roof. **Illinois Appellate Court denial to review Fraud is unheard in US Judicial System history incident**. It is not new that large corporations, including Banks, in pursuit of quick financial benefits – basic grid, commonly rob people - common US Citizens.

Firstly, they sold/stolen well paid US Jobs overseas, and then, they went further, using outdated (300 years old) and conflicting with modern Global economic paradigm laws of Foreclosure, to rob people of the most sacred object – their homes, and everything people (Americans) worked for their entire lives - investments into homes. **Nothing new – no one does anything to stop iniquity and lawlessness in US.**

What is really new – that people are refusing to except and tolerate any longer unpunished actions of large corporations, country is covered by riots – 650 cities, including Seattle Democratic Republic. It is not just protest of racial discrimination, it is protest to overall prospering unruliness, inequity, disorder and anarchy. It is not just Vinarovs' opinion. MGN interviews of many people suggest the same. As defined by political science revolution condition is when: “the majority cannot live in the old way and the minority in power cannot rule in the old fashioned manner”. There are revolution conditions are brewing in the country. Local governments starting to support protesters, labor council voted to remove Seattle Police Union. In brave new America, leaders kneel and looters are saluted. I can't breathe,’ cry US

protesters – black and white. So does entire global neighborhood fed up with American knee on its neck. Police takes similar position in several cities acting in solidarity with protesters cropped up, pushing a warmer, fuzzier narrative. Buffalo police were filmed kneeling alongside protesters and stating: “Stop treating us like ANIMALS and THUGS”. - WATCH NY police union boss EXPLODE on politicians and the press.

What else is New? US Supreme Court by denying to accept Petition for Writ of Certiorari, validated violation of the most important Constitutional right – **Property Ownership supported by 5th and 14th Amendments – foundation for all other rights, including the right to be FREE.** This is the 4th instance in US Supreme Court entire history, when Supreme Court denied/refused to accept case of Violation of Property Ownership Rights – by doing so, Supreme Court declared that US Constitution does not worth anything in US Courts, not even paper it is printed on. US Supreme Court, by denying Petition of Writ, validated criminal offences - crimes of documents falsification and signature forgery, validated Financial Fraud and Tax Evasion, validated destruction of business and robbery of Irina and Valery Vinarov; validated refusal by Lower Court to review and adjudicate Fraud.

US Supreme Court is the only mechanism Country has, and it is it's obligation to bring order to Lower Courts actions, restore Judicial equity and Justice. Irina case is not a singular exemption, it effects millions of Americans exposed to violation of their constitutional rights – there are over 25 million of foreclosure cases in US. Unless something is done effectively, the country is facing possibility of falling apart, exactly as it happened with the USSR.

If US Supreme Court believes that it is normal and acceptable practice of Law, to violate Constitutional Rights of citizens, that it is normal and acceptable legal practice to falsify documents and file them (with forged signature) with courts, that financial fraud

and tax evasion is normal and acceptable legal practice, that it is normal and acceptable legal practice for US Courts to validate Fraud and by doing so, act as accomplices to stealing property, then it does not have to grant Petition for Writ. It would clearly acknowledge that US is anarchist state, were lawlessness and arbitrariness prosper, prevail, and that it is on a path to self-destruction. Keep doing Nothing, Contribute to US Destruction!!! Allow to rob American Citizens just you allowed to rob Vinarovs.

Both, Irina and Valery Vinarov respectfully request US Supreme Court to reconsider previously made erroneous decision, to accept, review and adjudicate case, punish perpetrators for criminal actions – banks, their attorneys and judges acting as accomplices to the crimes and restore meaning, value and power of US Constitution.

Respectfully Submitted,



Valery Vinarov

**Additional material
from this filing is
available in the
Clerk's Office.**