

NO. 19-8383

IN THE
SUPREME COURT OF THE UNITED STATES

LUIS A. SORO - PETITIONER

VS.

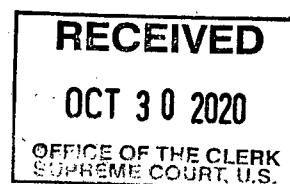
PEDRO JOSE LOPEZ - RESPONDENT

PETITION FOR RECONSIDERATION

LUIS A. SORO

P.O. BOX 398142

MIAMI BEACH, FLORIDA 33239-8142



PETITION FOR RECONSIDERATION
DUE TO AN ERROR BY THE COURT & PANDEMIC.
Comes now the Petitioner Luis A. Soro and

Respectfully moves this Honorable Court for a
Reconsideration of this opinion entered by the
court; motion for leave to proceed in forma
pauperis is denied and the petition for a writ
of certiorari is dismissed, see Rule 39.8. The world
has over 40 million COVID-19 cases, 1,123,500 deaths including 220,000 Americans.

This Petitioner Luis A. Soro Respectfully reminds
this Honorable Court that the United States (and the
world) is in an economic depression the world has not
seen since the 1930's due to the corona virus pandemic.
The United States has spent \$1.8 trillion dollars on
the coronavirus-relief packages that will have a total
cost, cost of \$2 trillion U.S. Dollars to individuals and
businesses and is the largest stimulus package in U.S.
history. The Trump Administration and Congress through
the Federal Reserve efforts seem likely to blow
past the incalculable \$4 trillion mark. In total the
U.S. government has committed more than \$6 Trillion
to arrest the economic downturn from the pandemic.
85 million jobs are on the line including Police, Fire, Judges and clerks ect...
This petitioner Respectfully moves this Honorable
to Permit the motion for leave to proceed in
forma pauperis to recover his home of 39 years that
has been paid in full to the owners and parents since
1993, and the Judge Rebull in the lower court has denied
possession, the ownership and controlling interest with
out a Jury or a trial or any other legal presentation,
petitioner has been stripped of his house by the judge.

The circuit court deliberately refused to let this Petitioner present the case to a jury on the Judge Rebuild himself, and this petitioner did not have the funds to pay a lawyer to remove, evict, eject the Defendant, Respondent Pedro Jose Lopez from this house that was paid in full since 1993. This Petitioner had filed a number of other evictions in the past 35 years to remove Defendants from houses his family owned in the past and the courts were very helpful in removing the Defendants except for this case against Respondent Pedro Jose Lopez, Petitioner has lost control of the house. Respondent removed \$537 from Petitioner's account to pay this court and on April 07, 2020 This Petitioner had \$.59 cents in his checking account that was closed a short time later by the bank due to it's very low balance, when the petition for a writ of certiorari and leave to proceed in forma pauperis was filed. The Clerk that docketed my case no. 19-8383 on April 11, 2020 should have sent it back to Petitioner and giving the 50 days to correct the petition and to pay for the docketing fee of \$300 although petitioner qualified to present his case to recover his house that has been paid in full by this petitioner and is the owner on the records in Miami-Dade County Florida. The courts refuse to remove, evict, eject the Respondent Pedro Jose Lopez from the house petitioner has paid in full since March 01, 1993 to his parents Jose Luis and Maria Digna Soro.

The lower court did not provide this Petitioner the mandatory 10 day advance notice that it was considering one of the motions for summary judgment. This Petitioner has no access or admittance per Judge opinion, to his house, that he lived in since 1978.

This Petitioner has been brutally disrespected by the Judge Rebull because he was not given a chance to present his case to a Florida Jury as was requested. This Judge Rebull just wanted to clear his calendar despite the facts that Petitioner is the registered owner of a million dollar house that is paid in full to his parents and Petitioner can not live or has any control over this property and has had very thing he owed removed from the house for the Respondent Pedro Jose Lopez. This petitioner has had this paid in full house stolen from him without a jury trial. His cars, Boat, clothing, Art, jewelry, gold watches, fur coats, furniture, and many many many other things stolen from him because of the Respondent Pedro Jose Lopez and the Judge or the lower courts have not resolved this problem. This supreme court of the United States should return this petitioner's property back to the legitimate owner Luis A. Soro that is paid in full to the owners and his parents Jose Luis and Maria Diana Soro. This Petitioner has the original blue ink signature lease that has been paid in full dated August 01, 2004, that is valid, enforceable obligation that must be complied with. Respondent Pedro Jose Lopez committed mortgage fraud when he got a mortgage on this petitioners property that is free and clear paid in full since March 01, 1993 to his parents Jose Luis and Maria Diana Soro and has been recorded in Miami-Dade County Florida.

IT is a Travesty of Justice for this court to permit Respondent to unlawfully appropriate petitioners home that has paid in full to the owners and parents since march 01, 1993, without a jury trial or other legal representation because this petitioner did not have the funds available for legal counsel and petitioner did not have access to the property at 2402 Alton Road Miami Beach, Florida 33140 due to the fact that the Respondent is living in the house paid and registered with the miami - Dade county recording office. The Trial court of Judge Rebull was a gross abuse of discretion that must be corrected by this U.S. Supreme Court of last resort or else petitioner will lose his home that has been in the Soro family since 1978 forever that has been paid in full by this petitioner since march 01, 1993. The Judges job is to simply interpret the law that congress and state of Florida lawmakers write and the statutes must be enforced in their detail and requires adherence to all state policies regardless of how they were adopted or presented by all litigants. This petitioners rights were trampled and crushed by the lower court Judge Rebull in miami Florida. The Judge Rebull ignored established rules of grammar and the statutory interpretation and serious questions remain unanswered about the trial Judges procedures for a house that is owned outright, completely to his parents and owners on public record, and paid in full.

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The circuit court almost totally ignored this petitioner and would have a smirk on his face when trying to present in the (2 1/2) two and 1/2 minutes he was allotted. The Judge Rebull has deprived this home owner the use of his home that has been paid in full to the owners and the parents of Luis A. Soro since March 01, 1993. This has needlessly disturbed a settled matter of home and property ownership creating an issue of first impression to the right to obtain and maintain a home that petitioner has invested thousands and thousands and thousands of dollars to improve over a period of 33 years. IT is key to realize that the court can not possibly understand a case in a 5 minute hearing and deprive the registered owner of this property that he had lived in since June 01, 1978. This petitioner has had everything he owns taken from him without a trial, or jury. The judge has made very serious errors that must be corrected by this court.

The Judge Rebull unfortunately did not realize the act he was deliberately doing would leave petitioner homeless and without the property he had worked so very hard to pay his parents in full since 1993, to be the owner of ownership in their rights. Plaintiff's appeal included challenges to the circuit court decision to restrict him from presenting his case to a Miami, Florida jury for a million dollar house that is paid in full by this petitioner, to the owners on record.

This court however, easily can conclude that the lower court could have not possibly determined the full scope of this case in 3, 5 minutes (2 1/2 minutes per side) hearings to give the property ownership to one side and take the ownership from the Plaintiff that has paid for the property in full, the house is free and clear as the house mortgage was paid in full in 1993. (emphasis added)

THIS COURT SHOULD REVERSE THE FINAL JUDGMENT ENTERED ON LOPEZ'S MOTION FOR SUMMARY JUDGMENT BECAUSE THERE ARE DISPUTED MATERIAL FACTS AS TO THE UNDISPUTED FACTS THAT APPELLANT SORO HAS PAID FOR THE PROPERTY IN FULL TO THE OWNERS JOSE LUIS AND MARIA DIGNA SORO HUSBAND AND WIFE ON PUBLIC RECORD AND APPELLANT'S PARENTS THE NOTE HAS BEEN SATISFIED. PROPERTY IS FREE AND CLEAR. APPELLEE LOPEZ HAS NEVER RESPONDED TO APPELLANT'S MOTION FOR SUMMARY JUDGMENT FILED WITH THE CLERK ON AUGUST 09, 2019 AND AMENDED ON AUGUST 12, 2019. (MONDAY)

THIS COURT SHOULD REVERSE THE FINAL JUDGMENT ENTERED ON LOPEZ'S MOTION FOR SUMMARY JUDGMENT BECAUSE THERE ARE DISPUTED MATERIAL FACTS IN THE INSTANT CASE.

Appellant Luis A. Soro filed a motion for summary judgment on August 09, 2019 (Friday) upon discovering an error filed and amended correction of counts 41 through 46 and added additional information on Monday August 12, 2019. The Appellee Lopez has never responded to Appellant's motion for summary judgment. The court was lacking the information that it needed to enter a motion for summary judgment in favor of Appellee Lopez. ON August 20, 2019 the trial court entered the final summary judgment in favor of Lopez that did not respond to Appellant's motion for summary judgment filed (8) eight days prior and in violation of the (10) Ten day Advance notice that is mandatory. *Insko v. State* 969 S.2d 992 (Fla 2007)

on May 02, 2019 filed the instant lawsuit seeking to evict/eject Appellee Lopez from the property that is owned free and clear since March 01, 1993. That is over (26) Twenty six years ago, that Appellant has owned the house outright. Appellant wants to take his grand kids to 2402 Alton since his kids grew up at 2402 Alton Road since they were born Dr. Luis A. Soro and Nicolas R. Soro. They also love the house. IT has now been over (9) nine months since the lawsuit to remove Appellee Lopez from the house Appellant paid \$130,000.00 to his parents, thousands and thousands to remodel and refurbish and thousands more for the appliances that Appellant paid with his credit cards that Appellee is using. Almost (5) Five months since the case has been here at the Third District (August 29, 2019) The reply brief was filed December 24, 2019. Appellee is still at the house. The trial court did not give the (10) Ten day advance notice that it was considering one of the motions for summary judgment that is a bright line rule (bright line test) that is mandatory, obligatory, compulsory that applies to all litigants, the language gives the trial court no discretion in this matter and it is commanded by authority. Most sales can be reversed if they violated the law. Appellant's father was under the influence of opioid prescription narcotic drugs and senile dementia. Appellant Luis A. Soro is the owner on record that has paid for the house in full and Appellee Lopez is prohibiting Appellant the use of the property at 2402 Alton Road Miami Beach, Florida 33140. A forged deed is void from the start and cannot ever be revived. Purchaser never had title in the first place. Appellant put down the \$10,000 (Ten Thousand) down payment from his bank account on May 26, 1978 and paid \$100 per month of the \$302 mortgage note for a house that would be his at some time in the future. A quit claim deed merely transfers ownership. The Trial court misapplied contractual terms at issue. During the lease period, the renter has exclusive rights to purchase the home and it can not be sold to another party. Appellee Lopez has an invalid contract that is not able to be enforceable simply because the terms of the contract are illegal and having no binding force. It is actually not there at all signed by an 87 year old under the influence of opioid medication, senile dementia and Alzheimer's disease. Appellee did not have an arms-length transaction with my father that was very ill on opioid drugs. Pennzoil v. Texaco Inc. 401 U.S. 1 (1987) Respondent removed \$537 from Petitioner's checking account he had to pay this court and his other bills and cards before this case was over. Respondent knew that the case was on appeal and took the money anyway.

Under Florida law, summary judgment is appropriate where there are no material disputed facts, and the moving party is entitled to judgment as a matter of law. Fla. R. Civ. P. 1.510; Ho Talcott, 191 So. 2d 40 (Fla. 1966). Once the moving has tendered support the motion and establish the non existence of material facts, the burden shifts to the non moving party to come forward with evidence to show a genuine issue of material facts exists. Hicks v. Hogan 953 So. 2d 695, 697 (Fla. 5th DCA 2007). Conclusory and unsupported allegations or statements are not sufficient to defeat a motion for summary judgment. Valderreman v. Portolio Recovery Associates LLC, 972 So 2d 239 (Fla. 3d DCA 2007).

Luis A. Sero is ENTITLED to summary judgment on the Eviction/Ejectment complaint. Appellee Lopez has never responded to Appellant's motion for summary judgment. The elements of an ejectment are: "that (1) plaintiff has title to the land (2) plaintiff has been wrongfully dispossessed or ousted and (3) the plaintiff has suffered damages." Appellant filed his motion for summary judgment on Friday August 09, 2019 and a motion to Amend on Monday August 12, 2019.

Luis A. Sero is the owner of the property that was paid in full to the owners of record on March 01, 1993. Pedro Lopez is prohibiting Plaintiff the use of the property at 2402 Hilton Road, Miami Beach, Florida 33140.

Luis A. Sero made and offer to buy the property that was accepted by the owner of record Ida Denmark in February 1978. That is over (40) forty years ago. L1066, LLC v. BHI 505 second Ave LLC, 241 So 3d 920, 922 (Fla 3d DCA 2018)

Luis A. Sero put up the \$10,000 dollar deposit down payment from his checking and savings account at closing on May 26, 1978.

Luis A. Sero has a Residential Lease with option to buy "AS-IS" and has paid \$130,000 to the owners on record of August 01, 2004. The payment was in full as the contract on record implies. CAVEAT EMPTOR

When the issue on appeal is one strictly involving the application of Law to undisputed facts, the standard of review is de novo, and the lower court receives no deference. *Arsali v. Chase Home Fin. LLC* 121 So.3d 511 (Fla 2013); *Boatman v. State*, 77 So.3d 1242 (Fla, 2011); *Insko v. State*, 969 So.2d 992 (Fla, 2007) Appellee never responded to Appellant's motion for summary Judgment and Amended on August 12, 2019.

This case should be reversed because the trial court did not give the (10) Ten day notice that it was considering summary Judgment.

This 10 day has been interpreted by the courts as a 10 day advance notice that the court was considering summary Judgment. This is an eviction/ejectment case to remove Appellee from the house Appellant/owner has paid in full to the owners.

This (10) ten day advance notice applies to all litigants. Appellant owns the property free and clear.

This (10) ten day advance notice is a Bright Line Rule language gives the trial court no discretion in this matter. It is mandatory Appellant filed his motion for summary Judgment on Friday August 09, 2019 and amended on 8-12-2019. The purpose of a bright-line rule is to produce predictable and consistent results in its application. The trial court did not provide Appellant a reasonable amount of time to respond to Appellee's motion for summary Judgment. This Rule is a clearly defined standard composed of objective factors, which leaves little or no room for varying interpretations.

This case also involves perjury by the Appellee's Lawyer Michael S. Hoffman Florida Bar No. 41164. The Appellee's wife-partner Kristen Szolis and the computer manager Richard Cogswell at Hoffman Larin & Agnelli.

The Trio made false testimony that is material to the proceeding before the judge under oath.

in fact this plaintiff/Appellant owner of 2402 Alton Road
filed with the court in both cases #19-0231 and case #19-1667

The sale and contract to sell 2402 Alton
Road to Defendant Pedro Lopez must be
rendered null and void. Pedro J. Lopez
took advantage of a very ill senior citizen
been paid in full many years prior to the Lopez
acquisition of 2402 Alton Road on July 11, 2011, by
the plaintiff and son of the owners Luis & Sonia.

plaintiff was living at the property and did not
need the bedroom bathroom house for himself
and was short on money. Luis Soro went to city
Hall and paid the \$5 registration fee to place
a for rent sign in the front yard. Lopez and Soro
the wife of Pedro Lopez and secretary to attorney
Michael Hofmann in the instant case working
in his daddy's office, would stop at 2402 Alton
posing as potential renters on a number of
different occasions. on one of those stops Soro
told plaintiff that she worked for lawyers in
an office in Miami. Both Lopez and Soro were
told by this plaintiff that the house was only
partially for rent. It was not for sale at the
present time, she and Lopez were warned of
liability and foreseeable file issues as the
plaintiff was the owner and had paid the
father in full for the house, and that his
mother had died a number of weeks before.

(caveat emptor)

Furthermore the trial court did not provide Appellant
a reasonable amount of time to respond to Appellees motion
for summary judgment in this eviction/ejectment case
to remove Appellee from Appellant's property that has been
paid in full and is free and clear since 1993. The trial
court did not provide this plaintiff/Appellant/owner the
(10) Ten day notice that it was considering summary judgment
in this case. The courts have interpreted this as a (10)
Ten day advance notice that the court was considering a
plaintiffs motion for summary judgment in a case.

indeed, "[s]imply because both sides move for summary judgment does not mean the court is required to grant one of the motions." *Spear v. Martin*, 330 So. 2d 543, 544 (Fla. 4th DCA 1976) (holding that if disputed issues exist as to any material fact a summary judgment should not be granted). Yet that is what happened here. Moreover, following the grant of summary judgment in favor of Lopez, the trial court improperly denied the post-judgment motions for reconsideration or relief from the judgment where [disputed material] issues of fact exist, that both parties filed motions for summary judgment claiming the nonexistence of those facts will not entitle the court to decide such issues without a trial." *Daniel Laurent, INC v. Coral Television Corp.*, 431 So. 2d 1047, 1048 (Fla. 3d DCA 1993). However, this analysis did not address the disputed facts precluding summary judgment in favor Appellant Luis A. Soro. Instead, the trial court appear to have simply granted one motion for summary judgment because he denied the other.

To the contrary, even if this court affirms the trial court's denial of summary judgment to Appellant which argue would be an incorrect result-numerous disputed issues of fact still preclude the granting of summary judgment to Lopez. Cross-motions for summary judgment motions should be considered independently, and any weakness in one motion should not be counted for (or against) the other motion. To continue the trial court did not provide plaintiff/Appellant the (10) Ten day notice that it was considering summary judgment in this case. The courts have interpreted this as a 10 day advance notice that the court was considering summary judgment. This is a bright line rule. This is a clearly defined rule or standard composed of objective factors, which leaves little or no room for varying interpretations. The purpose of a bright-line rule is to produce predictable and consistent results in it's application. This rule applies to all litigants. The rule language gives the trial court no discretion in this matter; it is mandatory. The court did not provide Appellant a reasonable amount of time to respond to Appellee's motion for summary judgment, in this eviction/eviction case to remove the Appellee from the property Appellant Luis A. Soro owns outright that has been paid in RM since March 01, 1993. The owners accepted \$130,000 as full payment for the property that Appellant lived in since 1978 and has spent thousands and thousands of dollars repairing and improving the property that would one day be his free and clear to enjoy with his family. (CAVEAT EMPTOR)

Plaintiff has the original blue ink lease with option to buy as is dated August 01, 2004 that has been paid in full and giving him until August 31, 2019 to exercise the option.

Legally valid contracts must contain two elements:
a. All parties must agree about an offer made by one party and accepted by the other.

b. something of value must be exchanged for something else of value. Plaintiff has paid for the house in full.

Plaintiff's father Jose Luis Soro suffered from Alzheimer's disease with dementia that had lost much of the ability to exist in our universe and abused by Defendant Pedro Lopez, that offered to buy a million dollar plus house for \$430,000 that had already been sold and paid for by the plaintiff. (CAVAT EMPLOYEES)
Plaintiff's father was a highly-skilled professional electrical engineer (PE) with over ten (10) years of university studies and degrees, that on July 11, 2011 did not know if he had a fist full of hundreds or dollar bills due to his dementia and Alzheimer's and taken advantage of by Defendant Pedro Lopez.

Defendant has title insurance that protects him against lost or damage occurring from defects in the title or actual ownership of a property that had already been sold and paid for in full by plaintiff. In the real world every courthouse likely has forged deeds on record that have effectively conveyed interest.

Defendant bought a house from a seller that had sold the house to another person and was fully informed by plaintiff personally that he was the owner living out the house. (CAVAT EMPLOYEES) The seller can't just scrap your deal and sell to someone else if a better offer come along. The seller must perform their contractual obligations to buyers.

Defendant was fully briefed of the potential liability and foreseeable title issues by plaintiff and the delicate situation of the mental health experiences of dementia and Alzheimer's disease his father was exhibiting and the fact that the house had been sold and bought many years before, and was not for sale at the present time. The defendant Pedro Lopez is a con man

on August 01, 2004 the owners of Lot 11, Block 13 of Sunset Lake subdivision plat Book 8 at page 52 Public Records, of Dade county, Florida a/k/a 2402 Alton Road Miami Beach, Florida 33140 gave their oldest son a 15 year lease to transfer title. exhibit "A" (CAVEAT EMPTOR)

A Deed was requested and Filed on April 01, 2019 with the clerk of courts Miami-Dade county, Florida at a cost of \$124.00, base on his contract with Jose Luis and maria digna sono husband and wife, his parents exhibit "A"

Defendant Lopez claims the lawsuit seeking to evict him from the property were Filed and designed to harass and intimidate him. (CAVEAT EMPTOR)

Defendant Lopez claims the lawsuit seeking eviction have in elicited emotional distress on Lopez, his wife and his family. (CAVEAT EMPTOR) this is all an act, bogus.

Plaintiff's eviction lawsuit to remove Lopez, his wife and his family were Filed with the only purpose to legally remove him from the house that plaintiff owns and has paid in full, many many years before Lopez parachuted into the scene. Lopez's Answer are a complete farce and a sham.

Defendant Lopez and his wife Solis were both told by the Plaintiff that the house at 2402 Alton Road had been sold many years before to the Plaintiff. The house was not for sale at the time and the should turn around and keep walking. (CAVEAT EMPTOR)

Defendant Lopez motion TO DETERMINE RENT IS only to prevent the inevitable: eviction from plaintiff's house that is paid in full, Lopez's is feigning, Lopez is Scam artist that preyed on a sick senior citizen deliberately.

It is in the public interest the Plaintiff's property rights and binding contract with his parents and legal owners of 2402 Alton Road be respected that have been recorded with the clerk of courts Miami-Dade County Florida. (CAVEAT EMPTOR) Exhibit "B"

CONCLUSION

For all the reasons set forth in this Petition for Reconsideration due to an error by this court the clerk that docketed my case on April 11, 2020 should have sent it back to Petitioner and gave him the 50 days to correct the petition and to find the money to pay for the docketing fee of \$300 although Petitioner qualified to present his case to recover his home that has been paid in full by this Petitioner Luisa Soro to his parents Jose Luis and Maria Diana Soro making him the undisputed owner on Miami-Dade county records and the circuit court refusing to his possession to the property he has lived in since 1978.

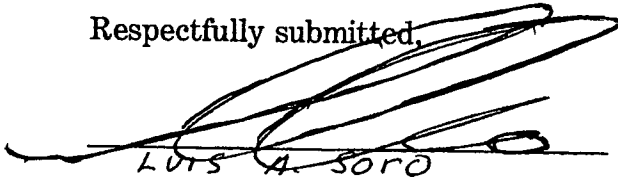
The Judge Rebull crushed and trampled Petitioner's rights to a fair and or impartial Jury trial to remove, evict and eject Respondent Pedro Jose Lopez that the Judge has refused to give access or admittance and has lost possession to his home that is paid in full, Judge Rebull has taken all my authority to possess 2402 Alton Road Miami Beach, Florida 33140 Petitioner has lived in since 1978 and paid in full to his parents Jose Luis and Maria Diana Soro on March, 01, 1993. Covid-19 is a must in reconsideration.

These acts by Judge Rebull could have major implications on the way that foreigners would invest in Miami, Florida and United States property fearing rogue Judges would take the possession of their property and lose their investment without any trial or jury to present the facts of the case. The actions of Judge Rebull constituted unprecedented intrusion on my individual liberty to possess and enjoy my property that has been paid in full and my rights to ownership have been denied.

This petitioner Respect Fully moves this Honorable court for leave to proceed in forma pauperis due to the pandemic. The Trial court was a gross abuse of discretion. On August 20, 2019, told the Judge Rebuilt in open court that on August 09, 2019, Friday Appellant had filed a motion for summary judgment, had filed his Affidavit signed before a notary Public, and had filed a motion to enlarge time to respond to Defendant's motion for summary judgment because Appellant was not served with the motion, the court had blocked access do to the motion being under redaction and the portal was not opening do to the redaction to view its contents, The judge told this Appellant with a grin that it was all in the records. Moments later signed the final order granting Lopez for summary judgment. Exhibit "C" is stamped by the clerk but not in the docket. 30 day enlargement of time filed. Not granted not denied. must be reversed. Error. Respondent removed \$537 from petitioners checking account before the case was over. Respondent Lopez did not respond to Petitioners motion for summary judgment filed on August 09, 2019 and amended on August 12, 2019. Petitioner Respectfully asks this Honorable court to return this case to the trial court to continue with this case to evict/ eject Respondent from the house owned outright, paid in full to his parents by petitioner Luis A. Soro.

The Judges job is to simply interpret the law that congress and state law makers wrote and the statutes must be enforced in their detail and requires adherence to all state policies regardless of how they were adopted or presented by a litigant. The Judge ignored established rules of grammar and the statutory interpretation and serious questions remain unanswered about the trial Judges practice during Rota house paid in full. The petition for a writ of certiorari should be granted.

Respectfully submitted,

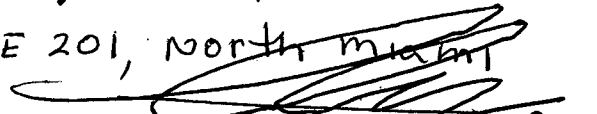


Luis A. Soro

Date: OCTober 19, 2020

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the petition for Reconsideration has been mailed first class mail postage prepaid on this 19 day of October 2020 to: HOFFMAN, LARIN & AGNETTI PA 909 W. Miami Beach Blvd STE 201, North Miami Beach, Florida 33162 by



Luis A. Soro
Petitioner and
owner of the house
paid in full