

No. 18 - _____

In the Supreme Court of the United States

LEVY GARDENS PARTNERS 2007 LP., HENRY L. KLEIN,
REGINA B. HEISLER AND
THE SUCCESSION OF FREDERICK P. HEISLER

Petitioners

v.

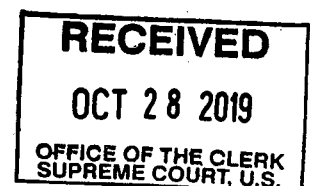
LEWIS TITLE COMPANY, INC., LISKOW & LEWIS, P.L.C.,
GIROD LOANCO, LLC., and STEVEN TERNER MNUCHIN,
SECRETARY OF THE DEPARTMENT OF TREASURY

Respondents

**MOTION TO DIRECT THE CLERK TO FILE PETITION FOR
WRIT OF CERTIORARI OUT-OF-TIME**

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*Pro se 50% owner of Levy Gardens and
Counsel for Levy Gardens Partners 2007 LP,
Regina B. Heisler and the Succession of
Frederick P. Heisler*



MOTION TO DIRECT THE CLERK TO FILE PETITION FOR WRIT OF CERTIORARI OUT-OF-TIME

Applicants respectfully move that the Honorable Scott S. Harris, Clerk of the Supreme Court of the United States, be directed or direct his office, as appropriate, to file their Petition for Writ of Certiorari out-of-time for the following reasons:

For all intents and purposes, Applicant Henry Klein should be afforded status as a *pro se* litigant. Undersigned Applicant is a 75-year-old sole practitioner with no staff, no associates, no law clerks and no para-legals who very much appreciates the help the Clerk's staff has provided. After several attempts for relief have been rejected because of Applicant's errors and after having expended over \$15,000, this Applicant and his broken clients are unable to survive this fight much longer. Both of the District of Columbia Courts in Klein v. American Land Title Association, 12-1061, Judge Reggie B. Walton presiding, and Klein v. Steven Turner Mnuchin, 18-0769, Judge James E. Boasberg presiding, have acknowledged that Levy Gardens and its members (Henry Klein and Fred Heisler) lost \$9 million in the title breach which is the subject of this litigation — which is of LANDMARK dimensions nationally.

It also may be better to reduce the "Questions Presented" to just one, less wordy and crystal-clear in this Declaratory Judgment Action:

ARE OWNER'S AND LENDER'S TITLE POLICIES
"...CONTRACTS OF INSURANCE..." PER GROUP
LIFE, 440 U.S. 205 (1979) AND ITS PROGENY?

The level of corruption we present is astounding. The industry makes a profit of forty-seven million dollars (\$47,000,000) a day for a product that has no value. The Petition establishes the FLEEING OF AMERICA beyond doubt. At acts of sale, Title Agents keep 80% to 85% of the premiums paid without the homeowner being told. No one is protecting the consumer. Treasury Secretary Mnuchin doesn't do his Title V job under Dodd-Frank, but nobody seems to care.

For the past 8 years, your *pro se* Applicant has fought the fight *pro bono publico*. By any measure, Separation of Powers principles aren't working when it comes to the only insurance industry which doesn't sell any "...insurance..." James Madison and his Angels must be turning over in their graves (Federalist Paper 51).

At p. viii of our Petition, we state the following truths we are confident the Justices will hold to be self-evident:

AFTER 74 YEARS OF A FREE RIDE [ON THE MCCARRAN-FERGUSON TRAIN], THE TITLE INDUSTRY PRETENDS TO SELL "...INSURANCE..." TO INNOCENTS, HAS AVOIDED REGULATION BY POWERFUL LOBBIES IN EVERY JURISDICTION SAVE THE ENLIGHTENED STATE OF IOWA AND ENGAGES IN OLIGOPOLISTIC LARCENY WHILE THE WHOLE OF THE EXECUTIVE BRANCH OF GOVERNMENT COVERS ITS REGULATORY EYES.

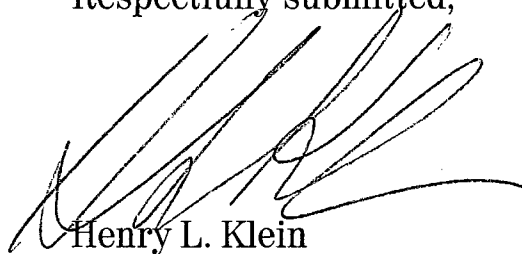
In his opinion dismissing *Klein v. Mnuchin*, Judge Boasberg said this:

In 2008, Levy Gardens paid a total of \$108,761.52 in so-called insurance premiums to . . . Lewis Title. That title company, however, apparently overlooked an old ordinance, which led to the enjoining of Levy Gardens' housing project and a loss of \$9 million. After Levy Gardens obtained an award of only \$605,000, Klein "pledged to God and [to] himself that what happened to Levy Gardens should never happen to anyone again." The carrying out of such oath has precipitated a series of suits against Lewis Title, the American Land Title Association (ALTA) and now the Government.

Mr. Harris: If the Rule selected isn't exactly right or if the wrong procedure has been followed, please nevertheless present our Petition to the Justices, who can "consider it" under the right Rule.

Special thanks to Gentleladies Mara Silver and Lisa Nesbitt for guiding
this old lawyer to this point.

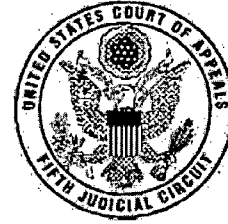
Respectfully submitted,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above the printed name.

Henry L. Klein

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 19-30359



FEDERAL DEPOSIT INSURANCE CORPORATION

Plaintiff

v.

LEVY GARDENS PARTNERS 2007, L.P.,

Defendant - Third Party Plaintiff - Appellant

v.

LEWIS TITLE COMPANY, INCORPORATED; LISKOW & LEWIS, P.L.C.,

Third Party Defendants - Appellees

Appeal from the United States District Court for the
Eastern District of Louisiana

CLERK'S OFFICE:

Under 5TH CIR. R. 42.3, the appeal is dismissed as of July 8, 2019, for want of prosecution. The appellant failed to timely its file brief and record excerpts.

LYLE W. CAYCE
Clerk of the United States Court
of Appeals for the Fifth Circuit

Rebecca L. Leto

By: _____
Rebecca L. Leto, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT

A True Copy
Certified order issued Jul 08, 2019
Lyle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

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