

No. 20-1719

IN THE
SUPREME COURT OF THE UNITED STATES

Allen B. Shay – PETITIONER

vs.

Alfred H. Siegel, Chapter 7 Bankruptcy Trustee – RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO
UNITED STATE COURT OF APPEALS OR THE 9TH CIRCUIT

PETITION FOR REHEARING

Allen Shay

175 South Lake Avenue Suite 303

Pasadena, CA 90010

T: (626) 584-0499

F: (626) 584-0703

Shayandassociates@hotmail.com

TABLE OF CONTENTS

	Page
TABLE OF AUTHORITIES	ii
GROUNDS FOR REHEARING	1
REHEARING TO CLARIFY THE STANDARD OF CONDUCT WITHIN OUR JUDICIAL SYSTEM IN LIGHT OF RECENT EVENTS REGARDING “KAREN”, CAREN ACT. AB 1550 AND SENATE BILL 796. 1 (a), (b), (c), (d) (e), (i), (j), (k) and (m) SIGNED INTO LAW BY GOVERNOR GAVIN NEWSOM NOT PREVIOUSLY PRESENTED WHICH IS APPLICABLE IN THIS CASE.....	14
A. The Federal Circuit Is Pleading for Clarity on Bankruptcy trustee’s authority.....	15
B. A Solution from Congress Is Not Forthcoming	16
C. Bankruptcy Courts Continue to Drift Further Away from a Constitutional Approach to bring about fairness and act to protect the intended party seeking protection as the debtor and any assets he or she may have.....	17
CONCLUSION	18
CERTIFICATE OF COUNSEL	24
CERTIFICATION OF INTERESTED PARTIES.....	25
CERTIFICATION OF RELATED CASES	26
CERTIFICATION OF COMPLIANCE.....	27

TABLE OF AUTHORITIES

	Page
CASES	
Kenna v. U.S. Dist. Court for the Cent. Dist. of Cal., 435 F.3d 1011,1016 (9th Cir. 2006).....	1
Sierra Switchboard Co. v. Westinghouse Electrics, 789 F. 2d 705 (9th Cir. 1986).....	1
In re Alleghany Int'l, Inc., 954 F.2d 167, 173-74 (3rd Cir. 1992).....	4
Law v. Siegel, 571 U.S. 415 (2014).....	4
Midlantic Nat'l Bank v. NJDEP, 474 U.S. 494 (1986).....	9
In re Wright, 566 B.R. 457 (B.A.P.6th Cir. 2017).....	9
CONSTITUTION AND STATUTES	
Rule 6007(a).....	1
18 U.S.C. § 3771 (8).....	1
28 U.S.C. § 959 (b).....	9
AB 1550 Senate Bill 796.....	1,9
Fed. Civ Rule § 60 (d) (3).....	4
OTHER AUTHORITIES	
CAREN ACT. AB 1550.....	1,8,9,10
SENATE BILL 796. 1.....	1,8,9
Fed. R. Bankr. P. 9024.....	9

Pursuant to Rule 44.2, Allen B. Shay
respectfully petitions for rehearing of the Court's order
denying certiorari in this case.

GROUND'S FOR REHEARING

The original certiorari in this case presented the vital question of whether a Bankruptcy court may cause an abandonment notice to become ineffective three years after the trustee objectively manifested his intent to exercise his discretion and the tenant's conduct asserted aka "Karen's" behavior in the case was irrelevant.

In this case, the Bankruptcy Court rendered its decision based on Rule 6007(a) and the trustee's intent as construed by *Sierra Switchboard Co. v. Westinghouse Electrics*, 789 F. 2d 705 (9th Cir. 1986), 84-2840. This question of the trustee's intent and providing notice to creditors is likely the most important issue of our time as applied in bankruptcy cases where petitioners seek protection in bankruptcy without being the subject of abuse of authority, discrimination or undue influence.

Four significant events occurred after this Court denied Petitioner's petition for certiorari that merit rehearing: (1) the impact of "Karen" and the Caren Act propelled by the authority in *Kenna v. U.S. Dist. Court for the Cent. Dist. of Cal.*, 435 F.3d 1011,1016 (9th Cir. 2006)., and 18 U.S.C. § 3771 (8) states: The right to be treated with fairness and with respect for the victim's dignity and privacy. The Kenna's case along with 18 U.S.C. § 3771 (8) was used to make new law and return property in California to the Bruce family. (2) On September 30, 2021, in a historic move California, Gov. Gavin Newsom authorized the return of property known as Bruce's Beach to a Black couple that had been run out of Manhattan Beach almost a century ago. Act. AB 1550 Senate Bill 796, signed into law by Newsom, confirms that the city's taking of this shorefront land was racially motivated and done under false and unlawful pretenses.

On December 25, 1915, George Lindsey 25, a real estate agent initiated the series of events leading to the condemnation and seizure of property from Black families residing near the Bruce's lodge. Mr. Lindy, who indicated that white landowners feared "invasion" by members of the

African American community. Lindsey discovered a legal means by which to shut down the Bruces' resort through the park and Playground Act of 1909. Dr. Alison Jefferson a white neighbor resented the resort's growing popularity and prosperity of its African American owners by the early 1920s and were "concerned" about a "Negro 'invasion'" and the impact it could have on property values. Lindsey and "several civic leaders" circulated a petition for support of this action and on January 3, 1924, the Manhattan Beach City Council passed ordinance 263, claiming eminent domain for a public park.

In November, 1924, the city filed a lawsuit pursuing condemnation, five of these were owned by African American families, including their cottages and the Bruces' lodge which was by far the largest lot at 46 acres, along with three other African American families sued the City of Manhattan Beach for racial discrimination in 1924. The Bruces requested \$70,000 for their property and \$50,000 in damages "due to the fact that if the property were condemned, they would be unable to purchase elsewhere in Manhattan." They were granted \$14,500. When the Bruce's

turned over the land, it had been 15 years since Mrs. Bruce purchased the land, it had been 15 years since Mrs. Bruce purchased the lot. Willie Bruce was now 65 years old and Charles was 67.

The land, which was wrongfully taken from the Bruce family and should be return. The legislation reads, "and it is in the public interest of the State of California, the County of Los Angeles, the City of Manhattan Beach, and the People of the State of California to do so."

How "Karens" created the proposed Caren Act, published on March 4, 2021. Within the last two years, the "Karen" meme has circulated widely throughout the internet. (3) This meme originated from the various examples of middle-aged white women typically sporting pixie cuts, throwing tantrums in public. The "Karen" label applies to various entitled behaviors and extreme displays of exerting white privilege. One notable video coined the name "Barbecue Becky," a variation of the Karen meme. "Becky" racially targeting a black family for having a barbecue at a lake and accusing them of engaging in illegal behavior.

The wrath of "Karens" impact children as well, a white woman, "Permit Patty," called the police on an eight-year-old black girl who was selling water to raise money for a trip to Disneyland.

"Patty" claimed she was selling bottled water without a permit and report her to the police. This is just one of the many absurd cases of "Karens" abusing emergency resources for their agenda. Black victims have grown expeditiously across America, especially in California. (4) Recently San Francisco introduced the CAREN Act, inspired by the infamous "Karen" meme. The CAREN Act stands for Caution Against Racially Exploitative Non-Emergencies, and it works to criminalize racially motivated emergency calls. Though filing a fraudulent police report is illegal in California, there are no consequences for people. This ordinance, however, will penalize those who are found to exploit community resources to perpetuate their hate and bigotry.

This legislation shares similarities to AB 1550 in Oakland, California. This statewide bill labels discriminatory 911 calls as hate crimes and dissuades

people from weaponizing law enforcement for racially motivated purposes. The goal of this bill is to prevent the "further [deterioration of] community-police relations and [its contribution] to the inaccurate and harmful over-criminalization of black and brown communities." The act would protect millions of Californians from being subject to demoralizing, demeaning, and unnecessary scrutiny by law enforcement, the judicial process and by the public.

Across the United States, other states are considering adopting similar bills, with New York, Oregon, and Washington being three of the strongest supporters for the CAREN Act. AB 1550 is currently working its way through the Senate Committee on Public Safety, awaiting a second reading after being amended in June 2020.

This Court, in denying certiorari in Petitioner's case, has perpetuated what is happening in today's society with unfair treatment and discrimination. In *re Alleghany Int'l, Inc.*, 954 F.2d 167, 173-74 (3rd Cir. 1992) and the United State Supreme Court case of *Law v. Siegel* (an

appeal from 9th circuit court) provides the most fundamental safeguards for debtors where the trustee or bankruptcy court abuse its authority, the U.S. Supreme court held that the bankruptcy court may not contravene specific statutory provisions. This petition demonstrates the need to address the egregious conduct and why Fed. Civ Rule § 60 (d) (3) is need to set aside this judgment in this case.

This court has an opportunity to shape an important chapter in society, this is a new territory and this is a highly unusual case. The inconsistency is growing in lower courts with this new social behavior called "Karen" and is indifference to apply statutes or case laws to set a precedent to dispose of such discrimination.

If this court takes the totality of the circumstances under consideration, (1) if the tenant had served her Creditor's claim notice on Petitioner in August 2013, a hearing would have been heard to resolve the dispute of the \$6500 security deposit. (2) Had the trustee given

notice to all creditors in January 2013, the outcome would have been the same because no reasonable creditor would have objected, the real estate values were on a significant decline. The trustee conformed to the procedure of Rule 6007(a) which recognizes and implements the policy of the Bankruptcy Code and Bankruptcy Reform Act of 1978 to remove the Bankruptcy Judge from non-disputes and (3) had the trustee not allowed the tenant to influence him and remain neutral, the judicial process would have worked as it was intended before tenant injected the "Karen" behavior in what is normally a non-judicial or administrative proceeding.

The objective is to relieve the Bankruptcy Judge from any role in certain disputed proceedings which require no judicial action. Administrative proceedings are intended automatically to be approved as requested in the absence of an objection. The entry of an order in the absence of an objection is to interject the judge as a volunteer or interloper into a non-judicial proceeding where the policy of the Bankruptcy Reform Act and the intention of the rule makers combine to remove the

Bankruptcy Judge from non-disputed administrative proceedings.

Ms. Janet Hurren (hereafter Ms. Hurren) wanted to induce the trustee and the court to take such action against Petitioner as we now know as "Karen". Because the trustee, his attorney (an officer of the court) and trustee's new real estate agent acted in concert with Hurren's conduct, the Bankruptcy jurisdiction has now been tainted. This court is faced with addressing what we now recognized as a "Karen" behavior.

Ms. Hurren rented from Petitioner since December 2006 a totally rebuild two story Spanish home with four bedrooms, three bathrooms with a family room for \$3,575 per month. She made a demand that her rent be reduced by \$700 per month and Petitioner agreed, by May 2012, the \$700 shortage adversely impacted Petitioner's financial obligation and on May 7, 2012, Allen B. Shay (hereafter Petitioner), a small businessowner in the city of Pasadena since 1981 filed for bankruptcy protection. When Petitioner filed for Bankruptcy, the tenant was current with her rent and Petitioner included the lender of the property as a creditor.

In December 2012, the Bankruptcy trustee had selected an independent real estate agent without any conflicts of interest with the property and presented the trustee with an inconsequential value of \$670,000 for Petitioner's Pine Bluff residence.

**“KAREN” BEHAVIOR BEFORE FILING
CREDITOR'S CLAIM FOR \$6500**

Ms. Hurren a middle age white woman, a real estate agent and a former investigator for the Ellen DeGeneres show to investigate all none celebrity guests. Hurren resided in Petitioner's rental property at 80 Arlington Drive, Pasadena California for approximately six years and eight months until August 30, 2013. Her last rental payment in the amount of \$2,900.00 paid to Petitioner was in March 2013. She retained possession of the property from April 2013 thru August 2013, five months' rent free. 1- 21 are email communications between Petitioner and Hurren see Exhibit 1:

**“KAREN” BEHAVIOR AFTER
FILING CREDITOR’S CLAIM**

On August 13, 2013, Ms. Hurren filed a Creditor’s claim in the amount of \$6,500 for her security deposit against the estate in violation of Petitioner’s due process right because he was not served with notice or made aware of the Creditor’s Claim.

On August 28, 2015, Ms. Hurren filed two documents, Doc. 95 was a notice of opposition requesting a hearing and Doc. 96 was a notice of opposition for a abandonment of real property and request for a hearing see Exhibit 2. Instead of merely filing an opposition(s), she commenced a direct personal character attack against Petitioner. Within the two oppositions, it was clear that she resented Petitioner. The resentment against him grew more when Petitioner run for mayor of the city of Pasadena in early 2014 for the March 2015 election. She detests him because he had a long history in Pasadena as a prosperity African American businessowners and very engaged in the community, she approached Petitioner after a court hearing at the Glendale Court house days before filing her

oppositions and stated "I'm going to fuck you up and become your worst nightmare".

In October 2016, the Ms. Hurren turned to the internet to continue her egregious conduct by creating a Jan Hurren's Vexatious Litigant Allen Shay Defense - GiveForward page. She begins to post defamatory statement about Petitioner, his business and personal dealing i.e., in March alone he sued a gentleman in small claims, lost then sued the man's wife and appealed the first case. The article continues attacking Petitioner and placing him in a false or bad light see Exhibit 3.

On November 17, 2016, Ms. Hurren was having her deposition taken and was asked about an email Petitioner received from John Torres with NuView, Petitioner's mortgage service for 80 Arlington property where Tenant resided. The email stated that he received a call from Petitioner's tenant name Jan Hurren who stated she wanted to purchase the property as a short sale. When Petitioner asked if she called and spoke with his mortgage servicer, her response was yes. When she was asked if Petitioner had given her authorization to speak to his mortgage servicer about a short sale, her response was no. Petitioner had experienced the

beginning of what society would come to know as the egregious behavior called “Karen” which has a profound impact on African Americans who find themselves confronted by a white woman under such circumstances resulting in irreparable harm or damage to its victims.

A cardinal example in this bankruptcy case is the impact of this new “Karen” behavior which presents an ideal opportunity for this Court to review the injustices and determine to what extent the law will permit harm to a person of color. Because the laws of bankruptcy granted by congress are issues of national importance, petitioners are granted a fresh start to recover a basic way of life, and in light of significant updates since receiving this Court’s decision and the fact that a state law exist under CAREN ACT. AB 1550 AND SENATE BILL 796. 1 (a), (b), (c), (d) (e), (i), (j), (k) and (m), Petitioner requests that the Court correct such an injustice that has clearly subjected the bankruptcy jurisdiction to this shocking behavior and consider Allen B. Shay’s petition for rehearing and grant its petition for certiorari.

THIS COURT SHOULD GRANT REHEARING TO CLARIFY THE STANDARD OF CONDUCT WITHIN OUR JUDICIAL SYSTEM IN LIGHT OF RECENT EVENTS REGARDING “KAREN”, CAREN ACT. AB 1550 AND SENATE BILL 796. 1 (a), (b), (c), (d) (e), (i), (j), (k) and (m) SIGNED INTO LAW BY GOVERNOR GAVIN NEWSOM NOT PREVIOUSLY PRESENTED WHICH IS APPLICABLE IN THIS CASE

Petitions for rehearing of an order denying certiorari are granted: (1) if a petition can demonstrate “intervening circumstances of a substantial or controlling effect”; or (2) if a petitioner raises “other substantial grounds not previously presented.” R. 44.2. Allen B. Shay’s petition shows both. After this Court denied the petition for certiorari on October 4, 2021, Allen B. Shay implore this Court to resolve the abusive, discriminatory and outrageous conduct of Ms. Hurren. Petitioner’s case will clearly help our society against bigotry and what is now prohibited as “Karen” behavior should this court enforce California’s newest legislation, as we wait for Federal law to intervene.

**THE PEOPLE OF THE STATE OF CALIFORNIA DO
ENACT AS FOLLOWS:**

SENATE BILL 796 SECTION 1. The Legislature finds and declares all of the following see Exhibit 4.

**A. The Federal Circuit Is Pleading for Clarity on
Bankruptcy trustee's authority**

The Full Federal Circuit is urgently imploring this Court for guidance on bankruptcy trustee's authority. *Midlantic Nat'l Bank v. NJDEP*, 474 U.S. 494 (1986) A bankruptcy court does not have the power to authorize an abandonment without formulating why the trustee does not have authority. See, *In re Wright*, 566 B.R. 457 (B.A.P.6th Cir. 2017) (court affirmed denial of revocation of abandonment of personal injury claim despite trustee's notation on report of no distribution that claim was preserved). The debtor has met his burden under Fed. R. Bankr. P. 9024. The abandonment of the Abilify Claim should not have been revoked.

The Rule 6007 notice of abandonment which included the Abilify Claim stands and that asset remains abandoned. Moreover, 28 U.S.C. § 959 (b), which commands the trustee

to "manage and operate the property in his possession . . . according to the requirements of the valid laws of the State," provides additional evidence that Congress did not intend for the Bankruptcy Code to preempt all state laws. Pp. 474 U. S. 502-505.

Thus, where property is either burdensome or offers inconsequential value and offer no benefit to the bankruptcy estate, a trustee is authorized to abandon the property. Once property is abandoned, it is no longer property of the estate; instead, the property reverts to the debtor.

B. A Solution from Congress is Not Forthcoming

While the petition for certiorari was pending the government in California, led by Governor Newsom to return property to a black family name the Bruce family. Clearly the state of California has taken on a proactive stand to correct the wrongs of the state. CAREN Act. AB 1550 is currently working its way through the Senate Committee on Public Safety. However, there has not been an update posted on Congress.Gov website. We are awaiting a second reading after being amended in June 2020. Congress is unlikely to achieve

sufficient consensus to make legislation to recompense for racial inequality any time soon.

**C. Bankruptcy Courts Continue to
Drift Further Away from a
Constitutional Approach to bring
about fairness and act to protect the
intended party seeking protection as
the debtor and any assets he or she
may have**

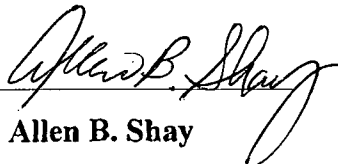
By sidelining itself from the debate about causing an abandonment notice to become ineffective, this Court is missing an opportunity to ensure judicial fidelity to the Constitution and to constitutional legislation. Without this Court's guidance, the bankruptcy courts are replacing tests for objectively manifested abandonment by trustees rooted in constitutional and congressional principles with administrative policies which has been reduced to what will be the conduct of creditors and their influence to control the trustee which ignore the foundational principle of the bankruptcy protection and violate the rights of the intended protected class of petitioners.

CONCLUSION

The "Karen/Caren Act" legislation enacted by the state of California is the new law of the land to demonstrate the need for this Court to weigh in before the harmful effects of "Karen" spreads. Events since this Court's denial of Petitioner's petition for certiorari prove a substantial need for this Court's intervention. Allen B. Shay's petition for rehearing should be granted.

Dated: October 22, 2021

Respectfully submitted

A handwritten signature in cursive script, appearing to read "Allen B. Shay", written over a horizontal line.

Allen B. Shay

Petitioner in Pro Se

DECLARATION OF PLAINTIFF ALLEN B. SHAY

I. Allen B. Shay, declare as follows:

1. Petitioner is a resident in Pasadena and my mailing address is 175 South Lake Avenue No. 303, Pasadena CA 91101. The facts set forth herein are within my personal knowledge. If called upon to do so, I could and would testify competently thereto.
2. Petitioner filed this petition for a Rehearing of a Writ of Certiorari as a result of discovering new evidence to show that the intervening circumstances has a substantial and controlling effect on the outcome of this case upon learning of Act. AB 1550 Senate Bill 796, signed into law.
3. Petitioner discovered after other substantial grounds not previously presented, California now recognized as "Karen" behavior and Governor Gavin Newsom has devised a remedy, i.e., he authorized the return of property known as Bruce's Beach to a Black couple that had been run out of Manhattan Beach almost a century ago. Such action is prohibited under state law and Petitioner shall provide this court with all relevant facts to be applied to ensure this state law is carried out in this case.
4. Petitioner opposed the conduct of Ms. Janet Hurren aka Jan Hurren after she injected herself into this case on August 28, 2015, and that the Bankruptcy court was complicit when it concluded that Ms. Hurren status as creditor was irrelevant and disregarding what we now know as "Karen" behavior. The court continue to be dismissive of her actions, her statements and how she was influencing the court by stating, even if Ms. Hurren made misrepresentations to the bankruptcy court regarding her status as a creditor and the value of the Pine Bluff property it did not matter even though it was the driving force that now made such behavior unlawfully and prejudiced the judicial process.
5. Petitioner declare that he recognized the power and or privilege of Ms. Hurren's influence when Petitioner received Trustee's Reply to Opposition to Transamerica Compromise Doc.102, filed 09/22/15 page 6 and 7. Line 18 confirms that Trustee had objectively abandon the Pine Bluff property. The last paragraph clearly indicates the power Ms. Hurren had over the trustee and his attorney to join in with her objective and begin creating the fraud needed to cover up the discriminatory and unlawful action taken by the trustee, his attorney and new real estate agent with Coldwell Banker Realty

Arcadia California. The document ends with "The Pine Bluff Property Should Not Be Abandoned From Debtor's Estate" because the court had not entered a order to abandon the property which flights in the face of the trustee's authority granted by congress and the policy of disposing of property that has inconsequential value to the estate within the time limit to either sale property with equity or abandon property that has not value see Exhibit 5.

6. Petitioner declare that it was very clear in 2012 the real estate values were on the decline not incline. That in December 2012, six months after petitioner filed his petition, the Pine Bluff property value had declined in May from \$800,000 (in Petitioner's initial petition), June's Broker's Price Opinion (BPO) was \$742,000 (this was requested by trustee because there was a error in value on the amended schedule filed on June 12 because the attorney that did the amendment, his staff used data from the website Zillow which was inaccurate since it did not take into account the neighborhood, size of lot, it computes it results base on the size of the dwelling and compare prices to other similarly size properties) to \$670,000 in December. Petitioner made trustee aware of this error on June 13, 2012 at his second 341 hearing and he was advised by trustee to submit an appraisal or BPO as soon as possible in order for him to resolve the value issue. Petitioner submitted the BPO to trustee on June 26, 2012 and again in September 2012. The trustee was provided with an analysis of value from his real estate agent in December 2012 of \$670,000.
7. Petitioner denies the following allegations made by Ms. Hurren in her documents filed on August 28, 2015, that "Mr. Shay takes advantage of the court by filing unfounded and false statements intended to delay or defeat the proceedings in the already three years plus bankruptcy. This including his current suit against the County of Los Angeles and the Sherriff's department over May 2014 arrest for alleged Mortgage fraud. While he files his motions in Pro Per, one should not afford Mr. Shay the leeway of an average laymen.
8. Petitioner was falsely arrested at the age of 54 on May 20, 2014, on a hunch while running for mayor of Pasadena, Detective Derry along with approximately six other officers with gun drawn, pulled Petitioner out of his home and arrested him in front of his neighbors to embarrass him because Detective could have called Petitioner and told

him he had warrant for his arrest and ask him to turn himself in to the Sherriff's office. Petitioner was incarceration for 11 days. At Petitioner's pretrial hearing after officer Christopher Derry was asked do you have any evidence that Mr. Shay committing a crime of theft? His response was no, next he was asked why did you arrest Mr. Shay? His response was he did not trust Mr. Shay after the first and only meeting between the two, the court admonished the DA and the officer and dismissed the case.

9. Petitioner denies the statement that "he was a law school dropout; Mr. Shay has found a far more lucrative avocation suing individuals and corporations. He has to date more than 80 civil lawsuits in Los Angeles and San Bernardino County's alone, to his credit. Spending arguably more time in the State court rooms than in his Real Estate business, Mr. Shay shamelessly utilize the State's courts and resources (paying no court fees in over three years for example), shaking down his victims with predatory filings against clients, tenants, vendors, servicers, the city and county governments and any one unfortunate enough to be in his path".
10. Petitioner graduated from the University of Southern California in 1981, immediately started his business in real estate, enrolled in law school in 1986, earned his Juris Doctrine degree after graduating in 1989. With almost 35 years in business 3 recessions and countless tenants, Petitioner experienced a high number of unlawful detainer action over the years.
11. Petitioner denies Ms. Hurren's statement "During his three plus years bankruptcy, Mr. Shay re-rented the defaulted property taking yet another security deposit which he failed to return when that property was finally foreclosed in June 2015 and prompting his amendment."
12. Petitioner declares before this court that all requirements as a debtor in bankruptcy were in compliance including filing an amendment Doc. 14, schedule B on June 21, 2012, showing security deposit of tenant name Jan Hurren – 80 Arlington Drive, Pasadena, CA 91104 in the amount of \$6,500. This schedule shows all Petitioner's personal property in the form of cash held in an account which include all Petitioner's tenants security deposit see Exhibit 6..
13. Petitioner's career consisted of real estate with several rental properties. When the 2008 housing market crashed occurred Petitioner and his tenants were impacted. The only

property that was foreclosed on while a tenant resided in it was Ms. Hurren's residence which she had not surrender the property per the rental contract to claim or be entitled to her security deposit, instead, she retained possession for five months' rent free with a monthly rental market value of \$4000. So, $\$4000 \times 5 \text{ months} = \$20,000$ of unjust enrichment as a result of Ms. Hurren's "Karen" behavior.

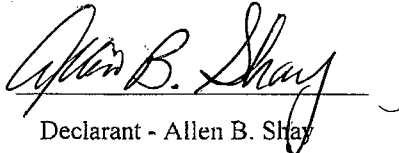
14. Petitioner denies Ms. Hurren's statement "Although there is no compensation for the distress and wrongful actions Mr. Shay has brought, **it is my hope that this court will exact some measure of justice in spite of his manipulations**, and innocent creditors be finally repaid." EOR, Docket No. 123 Filed 12/01/15 pages 1-4.
15. Petitioner as a Black man in Pasadena has been committed to being an example for young people to believe in their community and to show others through volunteerism that community can work for everyone where there is respect. Petitioner coached youth football, baseball and basketball from the age of sixteen to present.
16. Petitioner was instilled with the values of hard work, respect and being a giver by his mother, a single parent and Petitioner was the eight of thirteen children.
17. Petitioner's pride is volunteering as a member of Pasadena Media as a producer, director and host of a show called Our Society Show since 2013 to present. This platform enables Petitioner to preserve the history of the Pasadena experience while engaging the youth with all the possibilities of media, technology and an understanding of how important their images are, especially while helping others with low self-esteem or no confidence.
18. Petitioner's involvement with the youth was the best way to reduce gang violence, create community activism and help to overcome cyber bullying and reduce youth suicides within the Pasadena community.
19. Petitioner declare that he is a real estate broker in good standing including being a member of the Local Government Relationship committee (LGR committee) with Pasadena's association for realtors since 2006, a city commissioner since 2011, the Chair of Pasadena City College Public Bond Oversight Committee from 2012 to 2016 and a mayoral candidate from March 2014 to the March 2015 election.
20. Petitioner declare that the Trustee gave notice of the December 8, 2015, hearing to Petitioner's creditors, there were no written objections provided to the court clerk from debtor's creditors giving their express or implied authorization to the bankruptcy court

to consider the creditors' interest to the motion or to preserve the creditors' rights to object as a party of interest. No other creditors objected to Petitioner's bankruptcy filing since 2012, except Ms. Hurren as the only party of interest to respond with a reply almost three years after the abandonment notice was issued.

21. Petitioner declares that Ms. Hurren took every action possible to make Petitioner appear in the eyes of the bankruptcy system as not having credibility in any motion or testimony he provided and that the bankruptcy court with its authority should carry out Ms. Hurren's desires as stated in her opposition documents.
22. Petitioner declares that the oppositions filed in 2015 were used to attack Petitioner's character and influenced the court by negative, condescending statements to cause great harm on Petitioner. Based on the fraud on the court set into motion on August 28, 2015, the Petitioner has experienced the truest form of "Karen's" behavior from Ms. Hurren, including discrimination and abuse of authority from the trustee to achieve losing his home of twenty-seven years and was evicted as Ms. Hurren desired and achieved her objective on February 14, 2017.
23. Petitioner thank the U.S. Supreme Court for the opportunity to present these facts and bring to the attention of this court the egregious conduct that Ms. Janet Hurren engaged in with the court's knowledge, participation and the injustice incurred by Petitioner.
24. Petitioner declares that the oppositions filed on August 28, 2015, by Ms. Janet Hurren was used to conformed to the behavior of "Karen" to ensure her influence over the bankruptcy court would occur and the court would take all measures to ensure this type of abuse would continue.
25. Petitioner now pray that this court reverse the judicial wrong cause by Ms. Hurren and enforce the standards set forth in California's law **SENATE BILL 796 SECTION 1**.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 22th day of October 2021. At Pasadena, California.

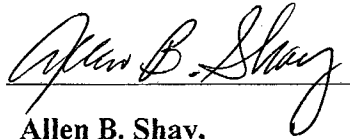

Declarant - Allen B. Shay

CERTIFICATE OF COUNSEL

I hereby certify that this petition for rehearing
is presented in good faith and not for delay, and that
it is restricted to the grounds specified in Supreme Court
Rule 44.2

Dated: October 22, 2021

Respectfully submitted,

A handwritten signature in cursive script, reading "Allen B. Shay", written over a horizontal line.

Allen B. Shay,
Petitioner in Pro Se,

CERTIFICATION OF INTERESTED PARTIES:

L.R. 7.1-1

The following parties are those known to the Petitioner who might have an interest in this appeal:

Hon. Robert Kwan, Bankruptcy Judge

United States Bankruptcy Court
255 E. Temple St., Suite 1682
Los Angeles, CA 90012

Attorney for Alfred Siegel, Chapter 7 Trustee

ANTHONY A. FRIEDMAN, ESQ.
LEVEN, NEALE, BENDER, YOO & BRILL, L.L.P.
10250 Constellation Boulevard, Suite 1700
Los Angeles, CA 90067

United States Trustee (LA)

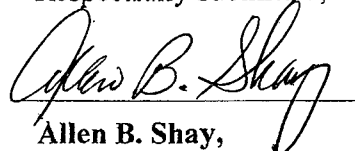
915 Wilshire Blvd, Suite 1850
Los Angeles, CA 90017

Attorney for the United States Trustee

Ron Maroko
915 Wilshire Blvd., Suite 1850
Los Angeles, CA 90017

Dated: October 22, 2021

Respectfully submitted,


Allen B. Shay,
Petitioner in Pro Se,

CERTIFICATION OF RELATED CASES

Pursuant to Supreme Court Rule 32;

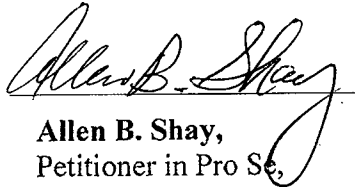
L.R. 83-1.3

Pursuant to Supreme Court Rule 32

L.R. 83-1.3 Petitioner confirms that he is not aware of any related cases pending in this Court

Dated: October 22, 2021

Respectfully submitted,


Allen B. Shay,
Petitioner in Pro Se,

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