No. 20-187

In the
Supreme Court of the United States

OKWUDILI FRANCIS CHUKWUANI,
Petitioner,

v.

SOLON CITY SCHOOL DISTRICT,
Respondent.

On Petition for Writ of Certiorari to the United States Court of Appeals for the Sixth Circuit

BRIEF IN OPPOSITION

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QUESTIONS PRESENTED FOR REVIEW

1. 28 U.S.C. § 1654 provides that "[i]n all courts of the United States the parties may plead and conduct their own cases personally or by counsel." Because Petitioner Okwudili Chukwuani, a *pro se* non-lawyer parent, sought to represent his minor son's educational interests, the District Court dismissed his Individuals with Disabilities in Education Act ("IDEA") Complaint for lack of standing. Did the Sixth Circuit correctly affirm that Chukwuani may not bring special education claims on his son's behalf?

2. Under 34 C.F.R. § 300.30(b), parents lacking legal authority to make educational decisions for their children may not bring IDEA claims related to those children. During his divorce proceedings, a domestic relations court divested Chukwuani of all decision-making authority over his minor son's education. Did the District Court and the Sixth Circuit correctly determine that Chukwuani subsequently lacked standing to sue under the IDEA on both his son's and his own behalf?

CORPORATE DISCLOSURE STATEMENT

Pursuant to Sup. Ct. R. 29.6, Respondent Solon City School District Board of Education ("Respondent" or the "Board") discloses that it possesses no stock owned by a parent or publicly- held company.

DIRECTLY RELATED PROCEEDINGS

Pursuant to Sup. Ct. R. 15.2, Respondent identifies the following cases and proceedings directly related to this case:

Okwudili Chukwuani v. Solon City School District, No. 19-3574, U.S. Court of Appeals for the Sixth Circuit. Judgment entered April 21, 2020.

Okwudili Chukwuani v. Solon City School District, No. 1:19-CV-492, U.S. District Court Northern District of Ohio. Judgment entered May 13, 2019.

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JURISDICTION

This Court has appellate jurisdiction to review the Sixth Circuit's decision under 28 U.S.C. § 1254(1). However, Petitioner Okwudili Francis Chukwuani ("Chukwuani") lacks standing to sue both on behalf of his son and on his own behalf. The United States District Court, Northern District of Ohio ("District Court"), accordingly, dismissed his claims for lack of subject-matter jurisdiction and failure to state a claim.

Although Chukwuani filed his Petition for Writ of Certiorari ("Petition") outside the 90 days permitted by Sup. Ct. R. 13.1, this Court's COVID-19 Order, dated March 19, 2020, extended his deadline for timely filing.

STATUTORY PROVISIONS INVOLVED

28 U.S.C. § 1654 provides that "[i]n all courts of the United States the parties may plead and conduct their own cases personally or by counsel."

20 U.S.C. § 1415(f)(1)(A) provides that parents shall have an opportunity for an impartial due process hearing.

20 U.S.C. § 1415(i)(2)(A) grants a party aggrieved by the hearing decision the right to bring a civil action in a district court of the United States.

34 C.F.R. § 300.30(b)(1) provides that a biological or adoptive parent must be presumed to be the parent "unless the biological or adoptive parent does not have legal authority to make educational decisions for the child."

34 C.F.R. § 300.30(b)(2) provides that if a judicial decree or order identifies a specific person to make educational decisions on behalf of a child, "then such person or persons shall be determined to be the 'parent' for purposes of this section."

INTRODUCTION

This case offers neither a circuit split nor a conflict in state authority. It also fails to raise an important federal question, much less one decided incorrectly by a state or circuit court. Instead, this appeal presents only Chukwuani, a disgruntled father frustrated with his ex-wife, their prolonged custody battle, and the school district responsible for educating their young child.

Simply put, Chukwuani lost the right to make decisions about his son's education; he cannot now challenge his ex-wife's choices by suing the Board over special education issues. At the outset, Chukwuani is a *pro se* plaintiff and cannot represent his child's interests or sue on his behalf. Moreover, having lost the right to control the child's schooling, Chukwuani cannot sue under the IDEA, 20 U.S.C. § 1400 *et seq*. Accordingly, the District Court dismissed Chukwuani's special education lawsuit for lack of standing, and the Sixth Circuit affirmed.

Although custody conflicts are surely paramount to the parties involved, this domestic dispute falls outside the Court's purview. Because Chukwuani fails to meet even one jurisdictional element under Sup. Ct. R. 10 ("Rule 10"), and specifically hinges this appeal on

asserted factual errors, the Court should deny his Petition.

At the outset, this Brief in Opposition ("Brief") addresses Chukwuani's misstatements and obfuscations by delineating the facts as determined by the Sixth Circuit and the District Court. The Brief then outlines the reasons this Court should deny the Petition, starting with the lack of circuit split or important question of federal law. The Brief concludes by noting that Chukwuani's reliance on alleged factual errors and misapplications of law offers yet another reason to deny his Petition.

STATEMENT OF THE CASE[1]

During the 2017-2018 school year, Chukwuani's son, U.C., was a second grader in a general education classroom in Solon, Ohio. Petitioner's Appendix ("Pet. App.") A2. Throughout the year, U.C. exhibited aggressive and violent behavior that required repeated interventions. *Id.* After these measures failed, the school administrators sought permission to evaluate U.C. for a disability under the IDEA. *Id.*, A2 and B2.

Chukwuani's ex-wife and U.C.'s mother, Vivian Chukwuani ("Vivian"), agreed to the evaluation and subsequent qualification of her child as emotionally-disturbed. Pet. App. A2. Ultimately, Respondent placed

[1] Pursuant to Sup. Ct. R. 15.2, Respondent submits that Petitioner's Statement of the Case is replete with misstatements and unsubstantiated allegations. Accordingly, Respondent's Statement of the Case relies solely on the findings of the Sixth Circuit and District Court as presented in Petitioner's Appendix.

U.C. – at its expense and with Vivian's consent – in a special education school that provides programming designed to help control impulsive behaviors. *Id*. at B2.

Embroiled in a custody dispute and displeased with Respondent's identification of his child as disabled, Chukwuani repeatedly challenged Vivian's decisions in multiple venues. In April of 2018, for example, Chukwuani filed an administrative due process complaint against Respondent, alleging the school misidentified his son as disabled. Pet. App. A3. After a hearing and an adverse decision, Chukwuani appealed to a State Level Review Officer ("SLRO"). *Id*. After the SLRO affirmed the hearing officer's decision, Chukwuani's next step was an appeal to the District Court. *Id*.

In the interim though – while his administrative proceedings were pending – Chukwuani lost the right to make decisions about U.C.'s education. On May 18, 2018, the Cuyahoga County Court of Common Pleas, Domestic Relations Division ("Domestic Relations Court") granted Vivian exclusive authority over U.C.'s schooling. Pet. App. A3. After Chukwuani's motion for reconsideration and a subsequent hearing, a Domestic Relations Court magistrate judge recommended Vivian continue making all decisions related to U.C.'s education. *Id*. On December 21, 2018, the Domestic Relations Court approved and adopted the magistrate's decision. Pet. App. A3 and B2-B3. Under a still-binding ruling, Vivian became the only parent legally authorized to determine where and how U.C. attends school.

Undeterred, in March of 2019, Chukwuani filed suit in the District Court on U.C.'s behalf. Pet. App. A3. In his Complaint, Chukwuani alleged that U.C. is not emotionally disturbed and the hearing, as well as the SLRO review, were flawed. *Id*. B3.

Upon Respondent's motion, the District Court dismissed Chukwuani's Complaint for lack of standing. Pet. App. B3-B5. Specifically, the District Court found that lay plaintiffs proceeding *pro se* cannot bring claims on behalf of their minor children. *Id*. B4. As for Chukwuani's own IDEA interests, the District Court held that losing the right to make educational decisions removed Chukwuani from the class of plaintiffs authorized to sue. *Id*. B5.

The Sixth Circuit affirmed both holdings articulated by the District Court. Pet. App.A4-A5. First, non-lawyer *pro se* parents may not represent their children's interests. *Id*. A4. Second, the IDEA excludes Chukwuani from its definition of "parent" because he lacks educational decision-making authority; accordingly, he may not prosecute even his own interests under the IDEA. *Id*. A4-A5.

Chukwuani seeks this Court's review, but as delineated below, neither the above holdings nor the Petition's presented questions reflect a circuit split or raise compelling questions of federal law. In fact, this Petition's fate affects only those few individuals facing these individualized and unusual factual and legal circumstances; this Petition, accordingly, should be denied.

REASONS FOR DENYING THE PETITION

Chuwkuani's appeal fails to meet any Rule 10 criteria for granting certiorari. Specifically, there is no circuit split or conflict among state courts of last resort as to both reasons Chukwuani lacks standing: (1) *pro se* non-attorney parents cannot represent their children's interests; and (2) parents without decision-making authority cannot sue under the IDEA. Moreover, this Court already noted the inherent conflict of interest arising when a noncustodial parent seeks to represent his child's interests against the custodial parent's wishes.[2] Accordingly, this appeal fails to present an important question of federal law meriting this Court's attention. Further, any residual questions related to standing left after *Winkleman v. Parma*[3] must wait for a plaintiff who has not lost legal rights to make educational decisions about his child. Finally, Chukwuani's Petition hinges on alleged factual errors and misapplications of law, yet another reason under Rule 10 to deny certiorari.

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[2] *Elk Grove Unified School Dist. v. Newdow*, 542 U.S. 1, 17, 124 S. Ct. 2301, 2312, 159 L.Ed.2d 98 (2004), abrogated on other grounds by *Lexmark Intern., Inc. v. Static Control Components, Inc.*, 572 U.S. 118, 134 S. Ct. 1377, 188 L.Ed.2d 392 (2014).

[3] *Winkelman ex rel. Winkelman v. Parma City Sch. Dist.,* 550 U.S. 516, 535, 127 S. Ct. 1994, 2007, 167 L. Ed. 2d 904 (2007).

I. There Is No Conflict Among Circuit Courts or State Courts of Last Resort as to the Sixth Circuit's Basis for Dismissal.

The legal principles underlying the Sixth Circuit's dismissal for lack of standing are well accepted by circuit courts and state courts of last resort: (1) *pro se* parents cannot sue on their children's behalf; and (2) parents lacking educational decision-making authority cannot sue under the IDEA.

A. *Pro se* non-attorney parents cannot sue on their children's behalf.

Parties may represent themselves in court or appear through counsel. 28 U.S.C. § 1654. There is no right for *pro se* plaintiffs to represent – and potentially squander – a third party's legal interests. This well-established principle applies equally to lay parents seeking to sue on their children's behalf without assistance of counsel.

Chukwuani's Petition does not cite any circuit split or state-court conflict on this issue – because none exists. Circuit courts overwhelmingly reject complaints brought by *pro se* plaintiffs seeking to vindicate their children's rights. *See e.g., Crippa v. Johnston*, 976 F.2d 724 (1st Cir. 1992) (table) (appellant appearing *pro se* may not represent her children); *Cheung v. Youth Orchestra Found. of Buffalo, Inc.,* 906 F.2d 59, 61 (2d Cir. 1990) (non-attorney parent must be represented by counsel in bringing action on child's behalf); *Tindall v. Poultney High Sch. Dist.,* 414 F.3d 281, 286 (2d Cir. 2005) (mother cannot represent child's interests in special education claims without retaining counsel);

Osei-Afriyie by Osei-Afriyie v. Med. Coll. of Pennsylvania, 937 F.2d 876, 882 (3d Cir. 1991) (non-lawyer appearing *pro se* "was not entitled to play the role of attorney for his children in federal court."); *I.K. ex rel. B.K. v. Haverford Sch. Dist.,* 567 F. App'x 135, 136 fn.1 (3d Cir. 2014) (parent cannot represent her child's claims in IDEA appeal); *Myers v. Loudoun Cty. Pub. Sch.*, 418 F.3d 395, 401 (4th Cir. 2005) ("Non-attorney parents generally may not litigate the claims of their minor children in federal court"); *Sprague v. Dep't of Family & Protective Servs.*, 547 F. App'x 507, 508 (5th Cir. 2013) (non lawyer mother may not sue department of family services as next friend of minor child); *Navin v. Park Ridge Sch. Dist. 64*, 270 F.3d 1147, 1149 (7th Cir. 2001) (nonlawyer father may not appear as son's legal representative); *McPherson v. Sch. Dist. No. 186,* 32 F. App'x 769, 770 (7th Cir. 2002) (nonattorney mother may not represent child in desegregation case); *Foster v. Bd. of Educ. of City of Chicago*, 611 F. App'x 874, 877 (7th Cir. 2015) (mother may not litigate daughter's IDEA claims); *Bower v. Springfield R-12 Sch. Dist.,* 263 F. App'x 542 (8th Cir. 2008) (affirming dismissal of mother's claims brought on her children's behalf); *Udoh v. Minnesota Dep't of Human Servs.,* 735 F. App'x 906, 907 (8th Cir. 2018), *cert. denied,* 139 S. Ct. 2615, 204 L. Ed. 2d 268 (2019) (non-attorney parents generally may not litigate children's claims *pro se*); *Johns v. Cty. of San Diego*, 114 F.3d 874, 877 (9th Cir. 1997) (parent may not bring an action on behalf of a minor child without retaining a lawyer.); *Meeker v. Kercher,* 782 F.2d 153, 154 (10th Cir. 1986) (father may not represent minor daughters in civil rights complaint); *FuQua v. Massey*, 615 F. App'x 611, 613 (11th Cir. 2015) (non-attorney

mother may not represent minor daughter in civil rights suit); *Lazaridis v. Soc. Sec. Admin.,* 856 F. Supp. 2d 93, 97 (D.D.C. 2012) (plaintiff father lacks standing to sue on his child's behalf).

State courts of last resort concur: Lay parents cannot represent their children *pro se*. *McKay v. Anthony Longval & Genesis House*, No. S-15806, 2016 WL 4056392, at *4 (Alaska July 27, 2016) (*pro se* lay parent may not act as a legal representative on behalf of a minor child.); *Ex parte Ghafary*, 738 So. 2d 778, 779 (Ala. 1998) (right to self-representation does not extend to anyone other than the *pro se* litigant); *Beard v. Branson*, 528 S.W.3d 487, 495 (Tenn. 2017); *In re C.S.,* 2007-Ohio-4919, ¶ 91, 115 Ohio St. 3d 267, 280, 874 N.E.2d 1177, 1189 (parents may not proceed *pro se* on minor child's behalf); *Wagner v. Cohen*, No. 25653, 2003 WL 21288621, at *1 (Haw. May 30, 2003) (parent may not bring an action on behalf of a minor child without retaining counsel). In short, circuit courts and state courts of last resort both agree *pro se* non-attorney parents cannot represent their children's interests.

B. Likewise, circuit courts agree that parents lacking legal authority to make educational decisions cannot sue under the IDEA.

Although *pro se* parents may not sue on their children's behalf, they are entitled to represent their own IDEA interests. *Winkelman*, 550 U.S. at 535. But having lost educational decision-making authority in state court, Chukwuani is no longer entitled to sue under the IDEA. As the District Court found and the

Sixth Circuit affirmed, IDEA's regulatory definitions explicitly exclude Chukwuani from that group of litigants. Pet. App. B4-B5.

Specifically, parents filing an administrative complaint are entitled to a due process hearing, a subsequent administrative review, and an appeal to federal or state court. 20 U.S.C. § 1415(f)(1)(A); 20 U.S.C. §1415(g)(1); 20 U.S.C. §1415(i)(1)-(2). But in defining "parent," IDEA's regulations exclude a biological parent who, like Chukwuani, "does not have legal authority to make educational decisions for the child." 34 § C.F.R. 300.30(b)(1). Moreover, "if a judicial decree or order identifies a specific person…to make educational decisions on behalf of a child, then such person or persons shall be determined to be the parent." 34 § C.F.R. 300.30(b)(2). In short, parents without legal rights to make decisions about their children's schooling may not sue school districts under the IDEA.

This succinct provision leaves no room for circuit splits or state court conflict. When faced with special education claims filed by parents lacking authority to make educational decisions, these courts uniformly dismiss for lack of standing. *Navin* 270 F.3d at 1150 ("[Father] cannot use the IDEA to upset choices committed to [Mother] by the state court."); *Driessen v. Lockman*, 518 F. App'x 809, 812 (11th Cir. 2013) (as noncustodial parent without authority to make educational decisions, mother lacked standing to sue under IDEA); *Fuentes v. Bd. of Educ. of City of New York*, 540 F.3d 145, 151 (2d Cir.), *certified question accepted,* 11 N.Y.3d 780, 896 N.E.2d 87 (2008),

and *certified question answered*, 12 N.Y.3d 309, 907 N.E.2d 696 (2009) (noncustodial father's standing to sue under IDEA hinges on whether state divorce decree affords him educational decision-making authority); *Taylor v. Vermont Dep't of Educ.,* 313 F.3d 768, 772 (2d Cir. 2002) (Sotomayor, J.) (mother without authority to make educational decisions lacks standing to demand IDEA hearing). Simply put, noncustodial parents cannot use federal special education law to evade domestic relations orders issued by state courts.

Chukwuani has no authority to decide where U.C. attends school or which special education program meets his needs; the Domestic Relations Court left these questions to Vivian's discretion. Chukwuani cannot, therefore, commandeer federal law to disturb Vivian's choices or the state court's decree. This principle is well-accepted by all circuit courts to have considered appellants facing similar circumstances. No circuit split or state conflict exists; Chukwuani's Petition, accordingly, should be denied.

II. This Petition Also Fails to Raise an Important Question of Federal Law.

Under Rule 10, this Court considers *certiorari* when a federal appellate court decided an important question of federal law that has not been, but should be, settled by this Court. Chukwuani's Petition does not present such a question.

A. Chukwuani's first and third questions concern well-settled jurisdictional principles.

Chukwuani's Petition begins by presenting three questions for this Court's consideration, but both the first and third issues reflect a fundamental misunderstanding of well-settled jurisdictional principles. First, Chukwuani questions whether federal jurisdiction can be denied based on a state court judgment. Pet. 2. But, with rare exceptions, federal courts do not review state court decisions; instead, state court judgments are entitled to full faith and credit in federal venues. 28 U.S.C. § 1738; *See also Migra v. Warren City Sch. Dist. Bd. of Educ.,* 465 U.S. 75, 80, 104 S. Ct. 892, 896, 79 L. Ed. 2d 56 (1984); *Lance v. Dennis*, 546 U.S. 459, 463, 126 S. Ct. 1198, 1200–01, 163 L. Ed. 2d 1059 (2006) ("Accordingly, under what has come to be known as the *Rooker–Feldman* doctrine, lower federal courts are precluded from exercising appellate jurisdiction over final state-court judgments.") And as this Court noted over fifteen years ago, parental status for federal standing purposes, is defined exclusively by state law. *Elk Grove*, 542 U.S. at 16. As such, Chukwuani's first question does not raise an important issue of federal law deserving of this Court's attention.

Likewise, Chukwuani's third question – whether standing at the onset of litigation confers standing throughout – was answered by this Court over 40 years ago. *Preiser v. Newkirk*, 422 U.S. 395, 401, 95 S. Ct. 2330, 2334, 45 L. Ed. 2d 272 (1975) ("The rule in federal cases is that an actual controversy must be

extant at all stages of review, not merely at the time the complaint is filed."); *Arizonans for Official English v. Arizona*, 520 U.S. 43, 67, 117 S. Ct. 1055, 1068, 137 L. Ed. 2d 170 (1997). Standing to sue is required at each stage of litigation. Chukwuani's third question, therefore, does not present an important issue of federal law for this Court.

B. Chukwuani's second question must wait for a petitioner with full parental rights.

As for Chukwuani's second question – the only potential subject of interest here – its resolution must wait for a more suitable plaintiff. Although, as delineated above, non-attorneys generally do not litigate the interests of another, this Court considered a potential exception for *pro se* parents seeking to sue under the IDEA. *Winkelman*, 550 U.S. at 535. Ultimately, the Court held that parents entitled to their own IDEA rights may prosecute claims related to those rights. *Id.* The Court, however, deliberately declined to consider whether the IDEA entitles parents to litigate their children's claims *pro se*. *Id.*

This question was left for another day, but Chukwuani's Petition is not an appropriate vehicle to resolve this issue. Because Chukwuani cannot make any school-related decisions about the child whose educational interests he seeks to litigate, this Court should not use this case to revisit *Winkelman* or its progeny. As explained below, any potential exception for *pro se* IDEA parents must wait for a petitioner who has the legal right to make those IDEA decisions.

As noted above, over 15 years ago, this Court held that noncustodial parents lack standing to challenge school districts' decisions. *Elk Grove Unified School Dist. v. Newdow*, 542 U.S. 1, 17, 124 S. Ct. 2301, 2312, 159 L.Ed.2d 98 (2004), abrogated on other grounds by *Lexmark Intern., Inc. v. Static Control Components, Inc.*, 572 U.S. 118, 134 S. Ct. 1377, 188 L.Ed.2d 392 (2014). In *Elk Grove*, a noncustodial father challenged the school district's Pledge of Allegiance, suing on his own behalf and on behalf of his daughter as next friend. 542 U.S. at 8. Because his ex-wife had exclusive legal custody, including the right to make educational decisions, the Court recognized a potential conflict between the child's interests and those of her father. *Id*. at 15. The father, held this Court, lacked standing to challenge his daughter's education in a federal venue, having been deprived of relevant legal rights during the state's domestic relations proceedings. *Id*. at 17-18. *See also June Med. Servs. L. L. C. v. Russo*, 140 S. Ct. 2103, 2167 (2020) ("We have already held that third-party standing is not appropriate where there is a potential conflict of interest between the plaintiff and the third party.") In other words, parents who cannot make decisions about their children should not be permitted to sue on those children's behalf.

Here, Chukwuani's ex-wife is the only parent legally authorized to make decisions about U.C.'s education. Pet. App. A3, A5. As articulated in *Elk Grove*, Chukwuani cannot represent his son because their interests are not parallel and are potentially in conflict. This appeal, accordingly, is not an appropriate vehicle to revisit lay parents' standing to represent their children under the IDEA.

In short, should this Court wish to consider *pro se* parents' standing to prosecute their children's IDEA claims, it must wait for a plaintiff legally authorized to make IDEA decisions. As Chukwuani is not that plaintiff, his Petition should be denied.

III. Because Chukwuani's Petition Hinges on Alleged Factual Errors and Misapplications of Law, This Court Should Deny Certiorari.

Chukwuani's dissatisfaction with the factual findings in this matter is yet another reason to deny certiorari. As Rule 10 notes, a petition is "rarely granted when the asserted error consists of erroneous factual findings or the misapplication of a properly stated rule of law." Sup. Ct. R. 10.

Chukwuani's Petition, however, rests almost entirely on allegations of erroneous factual findings or misapplications of law. Chukwuani alleges the process by which U.C. was identified as disabled was flawed, and further claims the school district colluded with his ex-wife to deprive him of his parental rights. *Id.* 8, 12, 17. Moreover, he insists that his son's misbehavior was due to the teacher's allegedly unsatisfactory disciplinary approach. *Id.* at 10-11. As for his ex-wife, Chukwuani claims she sought custody just to claim tax relief and child support. *Id.* 11. As the record demonstrates, these inaccurate allegations are simply not at issue relative to the Court's determination of standing. Further these allegations fail to identify a conflict among circuit courts or state courts of last resort and also fail to raise an important question of federal law.

Next, Chukwuani challenges the state court decisions as unconstitutional, unfair, and procedurally defective.[4] Pet. 16-18. He avers that the administrative decision was flawed because the reviewing officer "was under pressure from the powerful school district." *Id*. 7. Chukwuani claims that U.C.'s educational placement is harmful and that his child is being "deconditioned" for private benefits. *Id*. 13, 19. These spurious allegations are the centerpiece of his appeal, predicated almost entirely upon assertions of factual and legal error. However, once again, these allegations are simply not at issue (or even correct) relative to the Court's determination of standing. These claims also fail to identify a conflict among circuit courts or state courts of last resort, and fail to raise an important question of federal law. Thus, because Chukwuani meets none of the Rule 10 jurisdictional requirements, his Petition should be denied.

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[4] Although both the Sixth Circuit and the District Court dismissed Chukwuani's appeal for lack of standing, the *Rooker-Feldman* and *Younger Abstention* doctrines also mandate dismissal. See *e.g. Fauconier v. Committee on Special Educ., Dist. 3, New York City Bd. of Educ.*, 112 Fed.Appx. 85, 86 (2d Cir. 2004). Namely, this Court does not review domestic relations orders and no exception should be made for Chukwuani. *Ex parte Burrus,* 136 U.S. 586, 593–94, 10 S. Ct. 850, 853, 34 L. Ed. 500 (1890) ("The whole subject of the domestic relations of husband and wife, parent and child, belongs to the laws of the states, and not to the laws of the United States.")

CONCLUSION

For the foregoing reasons, this Court should deny Chukwuani's Petition.

Respectfully submitted,

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