

20-8434

No. \_\_\_\_\_

Supreme Court, U.S.  
FILED

MAY 18 2021

OFFICE OF THE CLERK

\_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES  
\_\_\_\_\_

ROBERT LOUIS HENNING — PETITIONER  
(Your Name)

vs.

STATE TREASURER OF MICHIGAN — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

State Of Michigan Appeals Court

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

ROBERT LOUIS HENNING

(Your Name)

10274 BOYER ROAD DRF-E

(Address)

CARSON CITY, MI. 48811

(City, State, Zip Code)

N/A

(Phone Number)

**ORIGINAL**

RECEIVED

MAY 25 2021

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

**QUESTION(S) PRESENTED**

DID THE STATE TREASURER VIOLATE JURISDICTIONAL BOUNDARIES BY  
PROCEEDING TO SEIZE PETITIONER'S ASSETS HELD IN MINNESOTA  
WITHOUT FILING A POST JUDGMENT ENFORCEMENT ACTION IN MINNESOTA?

## LIST OF PARTIES

☒ All parties appear in the caption of the case on the cover page.

[ ] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

## RELATED CASES

STATE TREASURER v. ROBERT L. HENNING, 18-15292-CZ  
50TH CIRCUIT COURT OF MICHIGAN, CHIPPEWA COUNTY  
DECIDED 11/30/2018

STATE TREASURER v. ROBERT L. HENNING, 352130  
STATE COURT OF APPEALS, DECIDED 7/23/2020

STATE TREASURER v. ROBERT L. HENNING, 161889  
DECIDED 3/31/2021

## TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
ESTATE OF JOAN F. KRUGER, 2007 N.Y. MISC. LEXIS 5008	
INT'L SHOE CO. v. WASHINGTON, 326 U.S. 310 (1945)	
NAGEL v. WESTEN, 865 NW2d 325 2015 MINN. App. LEXIS 38	
SHOWEN v. JL OWEN CO., 158 MICH 321 (1909)	

### STATUTES AND RULES

MCL 600.1920 SERVICE ON CORPORATION
MCL 800.401-406 SCFRA
MINN. STAT. 571.73 SERVICE OF ACTION
MINN. STAT. 550.37 EXEMPTION OF ASSETS
FED. RULE CIV. P. 69(a) PROCEDURE ON A MONEY JUDGMENT

### OTHER

U.S. CONST. AMEND. DUE PROCESS XIV
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## INDEX TO APPENDICES

APPENDIX A MOTION FOR RELIEF FROM JUDGMENT 8/25/2019

50TH CIRCUIT COURT OF MICHIGAN

APPENDIX B TRANSCRIPT OF HEARING ON MOTION 10/3/2019

APPENDIX C FINAL ORDER 10/4/2019

APPENDIX D RECONSIDERATION FILED/DENIED 10/15/2019

APPENDIX E COURT OF APPEALS 7/23/2019 DENIED

APPENDIX F STATE SUPREME COURT 3/31/2021 DENIED

IN THE  
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix \_\_\_\_\_ to the petition and is

- ☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the United States district court appears at Appendix \_\_\_\_\_ to the petition and is

- ☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix E to the petition and is

- ☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☒ is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

- ☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

## JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was \_\_\_\_\_.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was 3/31/2021.  
A copy of that decision appears at Appendix F.

☐ A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

U.S. CONST. AMEND. XIV DUE PROCESS OF LAW

MINN. CONST. ART. VI, SECT. 3

MINN. STAT. 571.71 to 932

MINN. STAT. 550.37

MINN. CONST. ART. 1, SECT. 12



## STATEMENT OF THE CASE

THE STATE TREASURER WAS GRANTED A JUDGMENT TO SEIZE 90% OF THE PETITIONER'S ASSETS IN A STATE CIRCUIT COURT OF MICHIGAN.

THE STATE TREASURER PROCEEDED TO ENFORCE THAT JUDGMENT UPON A CORPORATION LOCATED IN MINNESOTA.

THE STATE TREASURER SEIZED ASSETS HELD IN MINNESOTA APPLYING MICHIGAN LAW IN EXEMPTION DEFINITION. MINNESOTA LAW CONTROLS AS THE FIRST \$69,000.00 IS EXEMPT FROM ANY GARNISHMENT OR SEIZURE WHILE MICHIGAN LAW PROVIDES FOR A EXEMPTION ONLY AS TO REAL PROPERTY VALUED AT \$50,000.00 "HOMESTEAD ACT."

THE STATE TREASURER WAS REQUIRED TO FILE A POST-JUDGMENT ACTION IN THE STATE OF MINNESOTA AS A ORIGINAL ACTION TO ENFORCE THE STATE COURT JUDGMENT APPLYING MINNESOTA LAW EXEMPTING THE ASSETS OF PETITIONER CONSISTENT WITH MINNESOTA LAW.

## **REASONS FOR GRANTING THE PETITION**

THE STATE TREASURER HAS VIOLATED JURISDICTIONAL BOUNDARIES IN THE ENFORCEMENT OF A STATE COURT JUDGMENT ISSUED IN MICHIGAN WITHOUT FILING A ORIGINAL ACTION IN THE STATE OF MINNESOTA.

THIS VIOLATED DUE PROCESS AND EXEMPTION PROVISIONS OF THE LAWS OF MINNESOTA.

IN COMMON TERMS THE STATE TREASURER HAS STOLEN PETITIONER'S PROTECTED ASSETS HELD BY A MINNESOTA CORPORATION IN EXCESS OF \$69,000.00 WHICH MUST BE RETURNED FORTHWITH.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Robert J. Henry

Date: April 13 2021