
APPENDIX A

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Deborah S. Hunt
Clerk

100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000
www.ca6.uscourts.gov

Filed: March 08, 2021

Mr. James P. Allen Sr.
Law Office
400 Monroe Street
Suite 620
Detroit, MI 48226

Mr. Michael T. Brown
Kilpatrick & Associates
903 N. Opdyke Road
Suite C
Auburn Hills, MI 48326

Mr. Gregory G. Dean
Law Office
129 N. Lafayette Street
South Lyon, MI 48178

Mr. Jacob S. Ghannam Sr.
Wayne County Corporation Counsel
400 Monroe
Suite 660
Detroit, MI 48226

Mr. Ricardo I. Kilpatrick
Kilpatrick & Associates
903 N. Opdyke Road
Suite C
Auburn Hills, MI 48326

Ms. Laura Marie Scott
2968 Hanley
Hamtramck, MI 48212

Mr. James M. Surowiec
Law Office
400 Monroe Street
Suite 620
Detroit, MI 48226

Re: Case No. 20-1773, *Laura Scott v. Nandan Patel, et al*
Originating Case No. : 2:19-cv-12676

Dear Counsel and Ms. Scott,

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Sharday S. Swain
Case Manager
Direct Dial No. 513-564-7027

cc: Ms. Kinikia D. Essix

Enclosure

No. 20-1773

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED

Mar 08, 2021

DEBORAH S. HUNT, Clerk

LAURA MARIE SCOTT,
Plaintiff-Appellant,
v.
NANDAN PATEL, et al.,
Defendants-Appellees.

ORDER

Before: BUSH, Circuit Judge.

Laura Marie Scott, a pro se Michigan plaintiff, appeals the district court's judgment dismissing her 42 U.S.C. § 1983 civil rights complaint for lack of subject-matter jurisdiction. Scott moves the court to proceed in forma pauperis on appeal.

This court may grant a motion to proceed in forma pauperis if it determines that an appeal would in fact be taken in good faith and the movant is indigent. *See Owens v. Keeling*, 461 F.3d 763, 776 (6th Cir. 2006). An appeal is not in good faith if it is frivolous and thus “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989).

An appeal in this case would be frivolous because Scott's federal due process claim is barred by the Tax Injunction Act, 28 U.S.C. § 1341, inasmuch as the State of Michigan provides "a plain, speedy and efficient" remedy for her claim that the defendants violated her constitutional rights during state tax-foreclosure proceedings. *See Pegross v. Oakland Cnty. Treasurer*, 592 F. App'x 380, 384–85 (6th Cir. 2014); *cf. In re Petition by Treasurer of Wayne Cnty. for Foreclosure*, 732 N.W.2d 458, 462–63 (Mich. 2007). And to the extent that Scott alleged that the foreclosure action violated the automatic stay entered by a bankruptcy court, only the bankruptcy court can address that claim. *See Chao v. Hosp. Staffing Servs., Inc.*, 270 F.3d 374, 383 (6th Cir. 2001). Finally, there is no non-frivolous argument that the district court abused its discretion in declining

to exercise supplemental jurisdiction over Scott's state-law claims after it dismissed her federal claim. *See Hankins v. Gap, Inc.*, 84 F.3d 797, 802-03 (6th Cir. 1996).

Accordingly, the court **DENIES** Scott's motion to proceed in forma pauperis. Unless Scott pays the \$505 filing fee to the district court within thirty days of the entry of this order, this appeal will be dismissed for want of prosecution.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk

Case No. 20-1773

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

ORDER

LAURA MARIE SCOTT

Plaintiff - Appellant

v.

NANDAN PATEL; ENTERPRISING REAL ESTATE, LLC; WAYNE COUNTY, MI; WAYNE COUNTY LAND BANK CORPORATION; ERIC SABREE, Wayne County Treasurer; CITY OF HAMTRAMCK, MI; KATHLEEN ANGERER, City Manager; CYNTHIA M. YUN; RICHARDO I. KILPATRICK

Defendants - Appellees

Appellant having previously been advised that failure to satisfy certain specified obligations would result in dismissal of the case for want of prosecution and it appearing that the appellant has failed to satisfy the following obligation(s):

The proper fee was not paid by **April 07, 2021**.

It is therefore **ORDERED** that this cause be, and it hereby is, dismissed for want of prosecution.

**ENTERED PURSUANT TO RULE 45(a),
RULES OF THE SIXTH CIRCUIT**
Deborah S. Hunt, Clerk

Issued: April 15, 2021



APPENDIX B

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LAURA M. SCOTT,

Plaintiff,

Case No. 19-12676

v.

Hon. Marianne O. Battani

NANDAN PATEL, *et al.*,

Defendants.

JUDGMENT OF DISMISSAL

In accordance with the Court's order overruling Plaintiff's objections and adopting
the Magistrate Judge's January 9, 2020 report and recommendation,

IT IS HEREBY ORDERED that the federal claims asserted in Plaintiff's complaint
are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction. In light of
the dismissal of Plaintiff's federal claims, IT IS FURTHER ORDERED that Plaintiff's
remaining state-law claims are likewise **DISMISSED WITHOUT PREJUDICE**, as the
Court elects not to retain jurisdiction over these claims.

IT IS SO ORDERED.

Date: June 29, 2020

s/Marianne O. Battani

MARIANNE O. BATTANI
United States District Judge

03WU

APPENDIX C

(ORDER LIST: 589 U.S.)

THURSDAY, MARCH 19, 2020

ORDER

In light of the ongoing public health concerns relating to COVID-19, the following shall apply to cases prior to a ruling on a petition for a writ of certiorari:

IT IS ORDERED that the deadline to file any petition for a writ of certiorari due on or after the date of this order is extended to 150 days from the date of the lower court judgment, order denying discretionary review, or order denying a timely petition for rehearing. See Rules 13.1 and 13.3.

IT IS FURTHER ORDERED that motions for extensions of time pursuant to Rule 30.4 will ordinarily be granted by the Clerk as a matter of course if the grounds for the application are difficulties relating to COVID-19 and if the length of the extension requested is reasonable under the circumstances. Such motions should indicate whether the opposing party has an objection.

IT IS FURTHER ORDERED that, notwithstanding Rules 15.5 and 15.6, the Clerk will entertain motions to delay distribution of a petition for writ of certiorari where the grounds for the motion are that the petitioner needs additional time to file a reply due to difficulties relating to COVID-19. Such motions will ordinarily be granted by the Clerk as a matter of course if the length of the extension requested is reasonable under the circumstances and if the motion is actually received by the Clerk at least two days prior to the relevant distribution date. Such motions should indicate whether the opposing party has an objection.

IT IS FURTHER ORDERED that these modifications to the Court's Rules and practices do not apply to cases in which certiorari has been granted or a direct appeal or original action has been set for argument.

These modifications will remain in effect until further order of the Court.

APPENDIX D

(ORDER LIST: 594 U.S.)

MONDAY, JULY 19, 2021

ORDER

IT IS ORDERED that the Court's orders of March 19, 2020 and April 15, 2020 relating to COVID-19 are rescinded, subject to the clarifications set forth below.

IT IS FURTHER ORDERED that, in any case in which the relevant lower court judgment, order denying discretionary review, or order denying a timely petition for rehearing was issued prior to July 19, 2021, the deadline to file a petition for a writ of certiorari remains extended to 150 days from the date of that judgment or order. In any case in which the relevant lower court judgment, order denying discretionary review, or order denying a timely petition for rehearing was issued on or after July 19, 2021, the deadline to file a petition for a writ of certiorari is as provided by Rule 13.

IT IS FURTHER ORDERED that the requirement of Rule 33.1 that 40 copies of documents be submitted in booklet format will go back into effect as to covered documents filed on or after September 1, 2021. For submissions pursuant to Rule 33.2, the requirement of Rule 39 that an original and 10 copies be submitted, where applicable, will also go back into effect as to covered documents filed on or after September 1, 2021. The authorization to file a single copy of certain documents on 8½ x 11 inch paper, as set forth in the Court's April 15, 2020 order, will remain in effect only as to documents filed before September 1, 2021.

IT IS FURTHER ORDERED that the following types of documents should not be filed in paper form if they are submitted through the Court's electronic filing system:

- (1) motions for an extension of time under Rule 30.4; (2) waivers of the right to respond to a

petition under Rule 15.5; and (3) blanket consents to the filing of amicus briefs under Rules 37.2(a) and 37.3(a). Notwithstanding Rule 34.6 and paragraph 9 of the Guidelines for the Submission of Documents to the Supreme Court's Electronic Filing System, these enumerated filings should be filed electronically in cases governed by Rule 34.6, although other types of documents in those cases should be filed in paper form only.

APPENDIX E

Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES**Syllabus****KNICK v. TOWNSHIP OF SCOTT, PENNSYLVANIA, ET AL.****CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT**

No. 17-647. Argued October 3, 2018—Reargued January 16, 2019—Decided June 21, 2019

The Township of Scott, Pennsylvania, passed an ordinance requiring that “[a]ll cemeteries . . . be kept open and accessible to the general public during daylight hours.” Petitioner Rose Mary Knick, whose 90-acre rural property has a small family graveyard, was notified that she was violating the ordinance. Knick sought declaratory and injunctive relief in state court on the ground that the ordinance effected a taking of her property, but she did not bring an inverse condemnation action under state law seeking compensation. The Township responded by withdrawing the violation notice and staying enforcement of the ordinance. Without an ongoing enforcement action, the court held, Knick could not demonstrate the irreparable harm necessary for equitable relief, so it declined to rule on her request. Knick then filed an action in Federal District Court under 42 U. S. C. §1983, alleging that the ordinance violated the Takings Clause of the Fifth Amendment. The District Court dismissed her claim under *Williamson County Regional Planning Comm'n v. Hamilton Bank of Johnson City*, 473 U. S. 172, which held that property owners must seek just compensation under state law in state court before bringing a federal takings claim under §1983. The Third Circuit affirmed.

Held:

1. A government violates the Takings Clause when it takes property without compensation, and a property owner may bring a Fifth Amendment claim under §1983 at that time. Pp. 5–20.

(a) In *Williamson County*, the Court held that, as relevant here, a property developer’s federal takings claim was “premature” because

APPENDIX F

Respondent Sabree is not
and was never captioned in

17-4411



Search all cases and statutes...

JX

[Opinion](#) [Case details](#)

Hon. Mark A. Randon

Chapter 7

**OPINION AND ORDER GRANTING DEFENDANTS' MOTIONS TO
DISMISS**
(DKT. NOS. 18 AND 20).

I. INTRODUCTION

Plaintiff has unpaid water bills and property taxes dating back to 2013. As a result of the delinquent taxes, which include the unpaid water bills, Plaintiff's home was forfeited to the Wayne County Treasurer, later foreclosed (passing title to the Treasurer), and is scheduled to be sold at a public auction in September or October 2017. Plaintiff filed this adversary proceeding as a last-ditch effort to unwind the forfeiture/foreclosure and save her home from auction. *2

Wayne County and the State of Michigan's motions to dismiss are pending.¹ The Court heard argument on August 7, 2017. Plaintiff, essentially, makes two arguments: (1) her water bills were either fraudulent or erroneous which when added to the tax bills made the

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1

Detroit, Michigan

2

March 22, 2017

3

Wednesday @ 12:54 p.m.

4

- - -

5

THE COURT: Okay, this is In re the Matter
of the Wayne County Treasurer Foreclosure, Case
Number 16-007539-CH.

8

Appearance.

9

* * *

10

MS. YUN: The next objection on my list,
your Honor, is on page 2, Lauren Scott. Your Honor,
Ms. Scott has filed an objection with respect to her
property on Hanley. Ms. Scott has indicated that she
is involved in a bankruptcy proceeding which I have
confirmed.

16

And I advised Ms. Scott this morning that
this matter would be removed from today's docket due
to the fact that she's involved in a Chapter 7
Bankruptcy and the property is included in the
inventory.

21

Ms. Scott wants to address the Court.

22

THE COURT: All right, your name is Laurie
Scott.

24

MS. SCOTT: Yes.

25

THE COURT: L-a-u-r-i-e S-c-o-t-t.