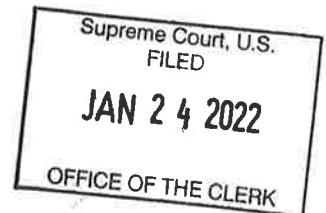


21-8145
NO. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



IN RE: Inhabitants of the City of Dayton, Ohio / Citizens of Montgomery County, Ohio /
Citizens of the State of Ohio / "or to the people", possibly collective under the Tenth
Amendment of the Constitution of the United States.

Ex rel.

GREGORY T. ACKERMAN, ET AL.

JOYCE L. ACKERMAN.

556 Shadowlawn Avenue, Dayton, OH 45419

Mailing Address: 1 Oakwood Ave, P.O. Box 911 Oakwood Ave. 45409

Phone: (937) 293-4267

Petitioner / Relator,

v.

THE BANK OF NEW YORK MELLON, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Bear Stearns Asset- Backed Securities Trust 2005-SD1, Asset-Backed Certificates Series 2005-SD1 c/o Wells Fargo Bank, N.A. (SC)
3476 Stateview Boulevard Fort Mill, SC 29715 MAC # 7801-013

Respondent.

On Petition for a Writ of Certiorari to the Supreme Court of the State of Ohio

Motion For Stay on Writ of Certiorari

Gregory T. Ackerman and Joyce L. Ackerman
556 Shadowlawn Avenue Dayton, OH 45419

Mailing Address: 1 Oakwood Ave, P.O. Box 911 Oakwood Ave. 45409
Phone: (937) 293-4267

Pro se litigators as Petitioners,
Appearance pursuant to 28 U.S.C § 1654
28 U. S. C. § 2403(a)(b) may apply

QUESTION(S) PRESENTED

- 1) It appears there is an obvious and critical miscarriage of justice against the Petitioner, Gregory T. Ackerman and Joyce L. Ackerman (Spouse) on two important public constitutional case matters that are before The Supreme Court of Ohio.**
- 2) Petitioner, (Sole Appellant) Joyce L. Ackerman is seeking mediation pursuant to R.C. 2323.06. Mortgagor and mortgagee mediation., S.Ct.Prac.R. 4.02. Request for Mediation, S.Ct.Prac.R. 19.01. and Mediation Proceedings, and S.Ct.Prac.R. 19.02. Privileges and Confidentiality, from The Supreme Court of Ohio with an 'Emergency request and motion for compelling mediation' to refer to its mediator for important mediation proceedings, to decrease possible further litigation and additional expenses.
- 3) Petitioner, Appellant provides substantive and substantial grounds for mediation specified in the "Emergency Memorandum in Support of Compelling Mediation Proceedings.", filed with the Clerk of Court Office at the Supreme Court of Ohio, on January 21, 2022.
- 4) Petitioner(s) respectfully motions this honorable Court for "stay" of deadlines to file for a writ of certiorari, from "Reconsideration Entry", filed by The Supreme Court of Ohio, on October 26, 2021, pending the possible outcome of Petitioner's request for mediation and mediation proceedings.

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PARTIES

Petitioners / Relators: Gregory Ackerman and Joyce Ackerman

1. Relator Gregory Ackerman and Joyce Ackerman are residents of the State of Ohio.
2. Mr. and Mrs. Ackerman have invested many years of efforts into effectuating the “rule of law” to a timely made “jury demand” for a trial by jury in two (2) independent priority civil action(s) case matters which raises a number of substantial and substantive constitutional questions, and grossly affects their financial interest and mortgage payments to these misleading and bad faith foreclosure case matters.
3. Greg Ackerman is the president and owner of Fresh Zone Products, Inc. a water purification company and internet information service provider for health and sustainability products and services. (S- Corporation)
4. Greg Ackerman is the owner of Dalmatian Enterprises (Sole proprietor) a building and remodeling company, and developer of innovative marketing concepts.
5. Greg Ackerman is care giver to spouse Joyce Ackerman upon medical disability.
6. Joyce Ackerman is currently disabled and trying to cope with her disability, and the additional stresses of alleged “insurance company fraud” and “fraud on the court”(s) case matters, and these misleading and “bad faith” foreclosure proceedings of the Respondent.
7. Greg Ackerman and Joyce Ackerman have incurred “economic losses” during the past 20 years of alleged insurance company fraud, Mortgage fraud, and “Fraud on the Court”
8. Greg Ackerman has incurred “economic losses” and lost business opportunities during the past 20 years of alleged insurance company fraud, and continues to suffer from an “interruption of business(s)” while pursuing insurance benefits, and these misleading and bad faith foreclosure proceedings.

9. Greg Ackerman and Joyce Ackerman are fully “vested “to support and defend the straight forward text of Seventh Amendment and Fourteenth Amendment of the Constitution of the United States, for “We the People of the United States” for the past 21+ years.

Respondent: The Bank of New York Mellon c/o Wells Fargo Bank, N.A.

10. RESPONDENT: Original Title: THE BANK OF NEW YORK MELLON, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Bear Stearns Asset- Backed Securities Trust 2005-SD1, Asset-Backed Certificates Series 2005-SD1 c/o Wells Fargo Bank, N.A. (SC)3476 Stateview Boulevard, Fort Mill, SC 29715 MAC # 7801-013.

11. The Relator had no prior knowledge of the Respondent (Bank of New York Mellon) or their interest in the Relator’s original mortgage loan prior to their foreclosure complaint.

12. The Respondent for nearly11 (Eleven) years has inappropriately invoked misleading and bad faith affidavits to initiate and maintained these foreclosure proceeding, while the Relator was engaged in a “binding operation” to modify their original loan mortgage with Wells Faro Home Mortgage (Lender / mortgage service provider) to form a new loan modification “Agreement”,

13. Wells Fargo Home Mortgage / Wells Fargo Bank, N.A. (Lender / mortgage service provider) “original intentions” were in good faith to the Relator, however without known reason they joined the dark side and “breached” their mortgage loan and modification “Agreement” with the Relator during the foreclosure proceedings of the Respondent, which lead to the execution of sale on the Relator’s property at the Sheriff Sale(s)/

14. The Respondent has not maintained respect for the occupant’s rights under the law.

15. The Respondents foreclosure proceedings are egregious and without merit, especially with knowledge of the Relator’s valid loan modification “operational process” toward a continued

binding loan modification “Agreement”, with material facts of payments to Wells Fargo Home Mortgage.

16. The Respondent has been given knowledge of spouse’s (Joyce) medical disability, and their family’s financial hardship as directly caused by Long Term Disability (LTD) insurance issues and pending legal matters of alleged “insurance company fraud”; breach of contract and bad faith with malice against the insured party, and further complication of perpetrated “fraud on the court” by the insurance company representatives.

17. The Relator “show cause” to allege Respondent acts of frivolous conduct in filing civil foreclosure complaint, and should clearly satisfy this court of their “bad faith” action to the trial court.

JURISDICTION

[] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 2/06/2020.

[] 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: 3/17/20, and a copy of the order denying rehearing appears at Appendix B.

[] 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 Oct. 26 2021. A copy of that decision appears at Appendix A.

[] A timely petition for rehearing was thereafter denied on the following date: October 26, 2021, and a copy of the order denying rehearing appears at Appendix A.

[] 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).

STATEMENT OF THE CASE

This statement of this case dictates fair justice and an in the elevation of the general level of historical consciousness of the Supreme Court of the United States responsibility and accountability to the Constitution of the United States.

Whereas, pursuant to Petitioner's petition for motion for stay to file a petition for writ of certiorari, and the Petitioner / Appellant's substantial rights, there was a pending Appellant's request and motion for mediation in their longstanding case matter(s) (22 years) that are before the Supreme Court of Ohio, filed on January 24, 2022.

Whereas, this requested event was to appear as the Petitioner / Appellant's last resort of state of Ohio and possible federal remedies of relief within a mediation motion and request process involving correlating case matter(s) of irregular state and federal; civil, criminal, and constitutional issues of justice against the general welfare of United States citizens for the past 22 years.

Whereas, the Justice of the Ohio Supreme court moreover failed to execute due process of law to perform a trial by jury, under the expressed text of the Ohio Constitution and United States Constitution, and further upon substantive statutes, respectively, and lastly, failed to open and execute a mediation process for the parties, on March 31, 2022,

Whereas, Petitioner / Appellant's presents profound case matters under state of Ohio and Federal legal standards of law, and dictated mandated law (Jury Demand), which remain inviolate (never changing), and guaranteed preserved, under the Ohio Constitution and United States Constitution Bi;; of Rights, while still remain showing a breath of life before the state of Ohio and Federal courts venues after 22 years later.

Whereas, specifically alive and preserved inviolate, are both state of Ohio and United States constitutional text dictating due process of law to a jury demand action for a trial by jury to determine the genuine issue of material facts for conclusion of law in the Plaintiff' / Appellant's original "instant" action of filing complaint with the trial court Clerk of Court Office in 2000, and applicable for further proceedings under FRCP 81: b,c,d. Removal actions.

Wherefore, Petitioner's grounds of meritorious procedure and show cause of defective procedure are valid, and a trial on all issues of money (Insurance benefits on wages with a jury trial) are a priority of order in hearing civil case matters for good cause. The insurance case matter must prevail in the order of hearing cases, and proceed with a jury demand action as required by law. All other case matters of the Petitioner must follow in order of each case matter that is populated with corresponding new action from the filing date with the Clerk of Court.

No cutting in line is a good golden rule and procedure to follow.

All relevant statements of the case involving these correlating case matters are found in Exhibit A, in the following pages.

Pursuant Supreme Court Rule 23. Stays, A party to a judgment sought to be reviewed may present to a Justice an application to stay the enforcement of that judgment. See 28 U. S. C. §2101(f). An application for a stay for the relief sought is not available from any other court or judge.

Justice Amy Vivian Coney Barrett took no part in the consideration or decision of any of the Petitioner's previous applications for constitutional support, while all other Justices have had accountability and opportunity to support the text of the Constitution of the United States for valuable constitutional protection under the Flag of the United States of America.

Justice Barrett could possibly be the only justice available to fairly rule on the Petitioner's motion for stay order, and further relief and creation of remedy.

Exhibit A

See Article VI of the Constitution of the United States

“All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.”

It appears that a substantial number of “error(s) of law” has perpetually occurred when applying the wrong rule or the “legal standard” to the facts of Greg T. Ackerman and Joyce L. Ackerman case matters for the past 22 (twenty-two) years of their longstanding correlating legal proceedings involving alleged; insurance company fraud, mortgage fraud, and perpetrated overt acts of fraud on the court.

It further appears that the state of Ohio and Federal appellate courts have demonstrated an ‘abuse of discretion’ in exercising the standard of review to look at the law that was supposed to be applied, and decide whether or not the trial court made a mistake upon accountability to the statutes and Constitution of the United States.

When a judge makes and error using his / her discretion, it is sufficient grounds for an appeal that shows the judge abused this discretion. In abuse of discretion case matters, the error(s) is obvious because the evidence introduced, or jury demand requested, does not support the judge’s decision, or was completely unreasonable, and not in the best interest of justice.

It is proposed herein that there is clearly a gross mistake in error at the judicial bench, abuse of discretion, or possible overt acts of treason in applying the law in these multiple correlating case matters of great importance to the American courts. And clearer demonstration to substantive violations of substantial constitutional rights of due process of law to a fundamental jury demand action, order of dismissal of foreclosure action, and denial of being heard in case matters that further show cause interference in healthy wellbeing, finances and sustaining legal property rights.

Quote: "No man (or woman) is above the law and no man (or woman) is below it: nor do we ask any man's (or woman's) permission when we ask him to obey it."

Theodore Roosevelt

The 'abuse of discretion' standard of review is necessary for de novo action. It is necessary and compelling for a review de novo of the Ohio and Federal judiciary actions of all correlating and relevant case matters of Joyce Ackerman and Greg T. Ackerman for the past 22 years of perpetual injustice within their paramount issues of litigation, as justice so requires.

All legal case matters of Joyce Ackerman and Greg T. Ackerman involving the trial court(s) of Dayton, Ohio, and Common Pleas Court of Montgomery County, Second District Court of Ohio, Supreme Court of Ohio, Federal District Court of Southern, Ohio, Sixth Circuit Court, and the Supreme Court of the United States rulings have infringed on the traditional standard of law, and the facts of evidence do not match the rulings, while demonstrating an *abuse of discretion* under this standard.

The state of Ohio court(s) and Federal Court(s) decision(s) of public and great general interest must be reviewed de novo, and substantially corrected and settled as they are obviously showing

bias, prejudice, arbitrary, capricious, sometimes arrogant, unreasonable, or unconscionable against the public welfare.

Supreme Court of the United States Jurisdiction

28 U.S. Code § 2072 - Rules of procedure and evidence; power to prescribe

(a)

The Supreme Court shall have the power to prescribe general rules of practice and procedure and rules of evidence for cases in the United States district courts (including proceedings before magistrate judges thereof) and courts of appeals.

(b)

Such rules shall not abridge, enlarge or modify any substantive right. All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect.

(c)

Such rules may define when a ruling of a district court is final for the purposes of appeal under section 1291 of this title.

28 U.S. Code § 2201 - Creation of remedy

(a) In a case of actual controversy within its jurisdiction, except with respect to Federal taxes other than actions brought under section 7428 of the Internal Revenue Code of 1986, a proceeding under section 505 or 1146 of title 11, or in any civil action involving an antidumping or countervailing duty proceeding regarding a class or kind of merchandise of a free trade area country (as defined in section 516A(f)(9) of the Tariff Act of 1930), as determined by the administering authority, any court of the United States, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. Any such declaration shall have the force and effect of a final judgment or decree and shall be reviewable as such.

28 U.S. Code § 2202 - Further relief

“Further necessary or proper relief based on a declaratory judgment or decree may be granted, after reasonable notice and hearing, against any adverse party whose rights have been determined by such judgment.”

FRCP Rule 60. Relief from a Judgment or Order

...

(d) Other Powers to Grant Relief. This rule does not limit a court's power to:

- (1) entertain an independent action to relieve a party from a judgment, order, or proceeding;
- And,
- (3) set aside a judgment for fraud on the court.

Intervention

Furthermore, all elected local, state of Ohio and Federal public government officials of the residence at Postal zip code 45419-4035, for the past 22 (Twenty-two) years have also “knowingly and willfully” violated their oath of office and duty to “support” the Constitution of the State of Ohio and Constitution of the United States that dictates a constitutionally required Jury Demand action under FRCP 81:b,c,d, Removed actions, when notified by court filings, certified mail, email, faxes, and direct personal communication of and they may be subject to further action pursuant to very serious state and federal constitutional violations, and high crimes, pursuant to alleged public corruption and accessory to “theft by deception” upon fraud on the Court, while holding public officials accountable under Article VI of the Constitution of the United States and the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States;

See:Federal TITLE 18—CRIMES AND CRIMINAL PROCEDURE;

- 2381. Treason.
- 2382. Misprision of treason.
- 2383. Rebellion or insurrection.
- 2384. Seditious conspiracy.
- 2385. Advocating overthrow of Government

Facts of Evidence

- 1) The material facts and evidence have been presented to the Dayton Police and Montgomery County prosecutor's office which clearly show cause to the alleged horrific "theft" by deception and "judicial fraud" of substantive and substantial State of Ohio constitutional rights to Joyce Ackerman et al. (Disabled Adult) upon their meaningful actions and relevant legal due process of law to a "Jury Demand" action, and additional relevant and corresponding substantial legal matters of mortgage fraud with the illegal theft of their real property and personal property 33 years, without consent, upon alleged perpetrated acts of "fraud on the court", with further deceptive and perpetrated fraudulent material in public records against the Ohio taxpayers.
- 2) In alleged judicial acts of abuse of discretion with the tragic termination of Plaintiff's timely dictated Jury Demand, as demonstrating fraud on the court, Joyce Ackerman et al. were also threatened by order of federal judges with \$1000.00 fine, (which was paid), and if the party continued to file legal papers for seeking constitutional protection relevant to due process of law to a jury demand in the federal court, the party risk being taken to jail, and minor child would have to go to social services. ~ Order by Judge Rice and Mag. Judge Merz of the Southern District Court of Ohio.
- 3) The State of Ohio legal standard of law dictates and preserves basic civil and constitutional rights to a trial by jury under the Ohio Constitution Bill of Rights, Section 5 and Ohio Civil Rule 38, upon a timely expressed and written "Jury Demand" in case matters at the Common Pleas Court of Montgomery County, Ohio; Case No. 2000CV1472 and case No. 203CV9499, to determine the genuine issues of material facts of alleged "insurance company fraud", and evidenced delay in timely Long Term Disability (LTD) policy benefits due to the beneficiary of

the insurance policy, and remain preserved inviolate to this very day, are now 22 (Twenty-two) years late.

The Supreme Court of the United States must fulfill its duties to support, affirm and execute the Petitioner's timely made "Jury Demand" within the "original instant action" to a "trial by jury" action, verdict or settlement on the cases dockets at; Case # 2000CV1472 (Judge Mary Katherine Huffman), and later removed to federal U.S. District Court Southern District of Ohio in Dayton, Ohio; Case # 3:00CV 00277 (Judge Walter H. Rice and Magistrate Judge Micheal Merz), and independent Court of Common Pleas, Montgomery County Ohio, Case # 2003CV-9499 (Michael Krumholtz) , and later removed to federal U.S. District Court Southern District of Ohio in Dayton, Ohio Case # 3:04-0033 (Judge Thomas M. Rose).

4) Egregious violations demonstrate alleged "insurance company fraud" to forge; fabricate and perpetrate "false statements" against the State of Ohio, and "False Claims" against the United States, of the federal term "Employee Retirement Income Security Act", "ERISA" in court(s) of law (alleged Perjury), in an attempted defense scheme to "terminate" the United States Constitution Bill of civil rights to due process of law to a fundamental "Jury Demand" action, and seek approval from the federal government of a "financial shelter" for the Insurance company (Fortis Benefits Insurance Company / Fortis, Inc. / Assurant, Inc. / Union Security Insurance Company / now called Sun Life Financial) by corrupt insurance company legal representatives (Michael J. Newman / Lead attorney, now a misleading (perjury) federal judge in the Southern Ohio District Court) along with Louis S. Brock, Michael Wesley Hawkins and Patrick W. Michael of the law firm at Dinsmore and Shohl, LLP (Cincinnati, OH), and attorney Angela Logan Edwards of the law firm Woodward, Hobson and Fulton (

5) Public Court Records clearly demonstrate that state of Ohio and Federal Judges and Justices in these case matters have knowingly and willfully failed the substantive and substantial State of Ohio and United States Constitutional due process of law to the legal parties of these case matter(s), and furthermore violated their valuable oath of office against their constituents.

The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour". See Article III, Section; 1 and 3 of the Constitution of the United States per the violation of the highest rules of law in the United States by officers of the court under the United States Judiciary system when they are "adhering to their Enemies, giving them aid and comfort".

6) Cases in which there is an issue of fact or damages to be assessed shall be tried in the order in which they stand on the trial docket, unless by the consent of parties, or by the order of the court, they are continued or placed at the end of the docket, or for good cause shown are especially assigned for trial or hearing out of their regular order. Actions for wages and actions pursuant to Ohio Revised Code section 5903.02 shall be first in order for trial.

7) In direct correlation to this insurance company benefits fraud and delay, 'terminated" legal matters in procedure, and financial hardship with additional legal expenses against the Ackerman et al., an inappropriate "dual tracking" foreclosure complaint action was filed by Wells Fargo Bank N.A. (with the help of Bank of New York Mellon) in the Common Pleas Court of Montgomery County, Ohio at Case No. 2009CV03194, filed on April 21, 2009.

8) Pursuant egregious "dual tracking" foreclosure actions at Common Pleas Court of Montgomery County Case No. 2009cv03194, Defendant(s) Greg and Joyce Ackerman, completed and successful loan modification with Wells Fargo Home Mortgage, with dictated payments, on June 16, 2010. The foreclosure case show cause "Order of Dismissal" by the court on July 07, 2010. Further court records against the Dismissed case matter reveal the tragic events

of alleged bad faith filings of mortgage fraud and fraud on the court by Wells Fargo Bank N.A. (with the assistance of Bank of New York Mellon), and further resulting in the tragic loss of real property, personal property and business property of Greg and Joyce Ackerman at 556 Shadowlawn Ave, Dayton, Ohio 45419.

9) Evidence in the Montgomery County Court Records and Public Records demonstrate clear acts of abuse of discretion, and duty, trustworthiness, and further possible overt acts of treason against the Constitution of the United States, parties and taxpayers of the court(s).

10) The alleged abuse of discretion and violations of oath are all leading to further alleged actions of theft by deception of Ackerman's real property at issue against the Ohio public records when using an old case number 2009CV03194 that was properly "Dismissed" by the public court for failure to prosecute. Emphasis added.

See Case No. 2009cv03194 with Order of Dismissal by the court, on July 07, 2010, and further without any motion, by any party, for any "new action" in any Ohio court of law.

11) Mike Roseberry (spouse to Robbin Roseberry of the public Sheriff Sale record, and he is owner of A-1 Matrix company of public record, and old friend of Montgomery County Auditor Karl Keith), knowingly (via Certificate of Service in court documents delivered by Defendant), and willfully, while the Ackermans' sometimes watched from the sidewalk, removed 33 years personal property, business(es) property, and many years of important legal documents and financial records, (value of the property stolen is one million five hundred thousand dollars or more) of Greg and Joyce Ackerman ("Disabled adult"), without consent the owner).

12) Mike Roseberry as owner of A-1 Matrix company of public records, sold the Appellant's valuable and memorable belongings on Ebay and Facebook, gave the property to family members and friends, kept for themselves, donated to Goodwill, or thrown in the trash. In

addition, Credit cards were also removed from the property at this time and used without consent to purchase Chinese food and pizza, gas station purchases, attempted purchase of lottery tickets and \$186.00 of general merchandise at a convenient store until the bank account was empty.

See Crimes of High Grand Larceny / Ohio Revised Code Title XXIX Crimes and Procedures Section 2913.02) from the property located at 556 Shadowlawn Ave. Dayton, Ohio 45419, while the foreclosure case matters were "Dismissed" on July 07, 2010 by the court, upon "Failure to prosecute", and without prejudice to a "new action" / as no party has ever filed, generated, nor populated a "new action" to this very day in any Ohio court of law, and moreover with further pending litigation at Ohio Supreme Court case No. 2021-0720 and case No. 2021-0721 show cause to meritorious Order of Dismissal of the egregious dual tracking foreclosure case matters.

See: Important judicial matters of alleged acts of abuse of discretion, violations of law and oath and relevant charges of offenses.

- 1) Ohio Rule of Civil Procedure 41. Dismissal of Actions; (B) Involuntary dismissal: effect thereof. (1) Failure to prosecute. Where the plaintiff fails to prosecute, or comply with these rules or any court order, the court upon motion of a defendant or on its own motion may, after notice to the plaintiff's counsel, dismiss an action or claim.

ARGUMENT

A. Standard of Review

A motion to dismiss for failure to state a claim upon which a court can grant relief challenges the sufficiency of the complaint itself, not evidence outside of the complaint. *Volbers-Klarich*

v. Middletown Mgmt, Inc., 125 Ohio St.3d 494, 2010-Ohio-2057, 929 N.E.2d 434, ¶ 11. A court must find that the plaintiff's complaint does not provide relief on any possible theory. Civ.R. 12(B)(6); *State Auto. Mut. Ins. Co. v. Titanium Metals Corp.*, 108 Ohio St.3d 540, 2006-Ohio-1713, 844 N.E.2d 1199, ¶ 8.

It clearly and obviously appears that the original foreclosure action was Dismissed by the court on July 07, 2010, and there has never been a "new action" in foreclosure against the Appellant, as clearly dictated by the court, nor has there ever been a timely appeal.

2) Alleged "Acts of contempt" at Ohio Revised Code / Title 27 Courts / Chapter 2705 Contempt of Court / Section 2705.02;

"A person guilty of any of the following acts may be punished as for a contempt:

(A) Disobedience of, or resistance to, a lawful writ, process, order, rule, judgment, or command of a court or officer.

(B) Misbehavior of an officer of the court in the performance of official duties, or in official transactions;"

3) Also see relevant and corresponding "Crimes" of "Theft" from a "Disabled adult";

Ohio Revised Code / Title 29 Crimes-Procedure /Chapter 2913 Theft and Fraud

Section 2913.02 Theft

"A) No person, with purpose to deprive the owner of property or services, shall knowingly obtain or exert control over either the property or services in any of the following ways:

(1) Without the consent of the owner or person authorized to give consent;
(2) Beyond the scope of the express or implied consent of the owner or person authorized to give consent;
(3) By deception;
(4) By threat;

(B)(1) Whoever violates this section is guilty of theft.

(2) Except as otherwise provided in this division or division (B)(3), (4), (5), (6), (7), (8), or (9) of this section, a violation of this section is petty theft, a misdemeanor of the first degree. If the value of the property or services stolen is one thousand dollars or more and is less than seven thousand five hundred dollars or if the property stolen is any of the property listed in

section 2913.71 of the Revised Code, a violation of this section is theft, a felony of the fifth degree. If the value of the property or services stolen is seven thousand five hundred dollars or more and is less than one hundred fifty thousand dollars, a violation of this section is grand theft, a felony of the fourth degree. If the value of the property or services stolen is one hundred fifty thousand dollars or more and is less than seven hundred fifty thousand dollars, a violation of this section is aggravated theft, a felony of the third degree. If the value of the property or services is seven hundred fifty thousand dollars or more and is less than one million five hundred thousand dollars, a violation of this section is aggravated theft, a felony of the second degree. If the value of the property or services stolen is one million five hundred thousand dollars or more, a violation of this section is aggravated theft of one million five hundred thousand dollars or more, a felony of the first degree.

(3) Except as otherwise provided in division (B)(4), (5), (6), (7), (8), or (9) of this section, if the victim of the offense is an elderly person, disabled adult, active duty service member, or spouse of an active duty service member, a violation of this section is theft from a person in a protected class, and division (B)(3) of this section applies. Except as otherwise provided in this division, theft from a person in a protected class is a felony of the fifth degree. If the value of the property or services stolen is one thousand dollars or more and is less than seven thousand five hundred dollars, theft from a person in a protected class is a felony of the fourth degree. If the value of the property or services stolen is seven thousand five hundred dollars or more and is less than thirty-seven thousand five hundred dollars, theft from a person in a protected class is a felony of the third degree. If the value of the property or services stolen is thirty-seven thousand five hundred dollars or more and is less than one hundred fifty thousand dollars, theft from a person in a protected class is a felony of the second degree. **If the value of the property or services stolen is one hundred fifty thousand dollars or more, theft from a person in a protected class is a felony of the first degree.** If the victim of the offense is an elderly person, in addition to any other penalty imposed for the offense, the offender shall be required to pay full restitution to the victim and to pay a fine of up to fifty thousand dollars. The clerk of court shall forward all fines collected under division (B)(3) of this section to the county department of job and family services to be used for the reporting and investigation of elder abuse, neglect, and exploitation or for the provision or arrangement of protective services under sections 5101.61 to 5101.71 of the Revised Code."

4) Furthermore, case matters have again been "denied" by Ohio Justices in the Ohio Supreme Court at Case No. 2021-0720 and Case No. 2021-0721, another possible abuse of discretion.

Wherefore, Appellants demonstrate meaningful grounds of longstanding irregular adjudication of multiple correlating case matters shown above, as an abuse of discretion, the Appellants necessarily seek a review de novo to all of their case matters herein, and / or further important remedies of relief with an emergency request and motion for compelling mediation proceedings by Joyce L. Ackerman, on January 21, 2022 with the Supreme Court of Ohio.

GENERAL WARRANTY DEED P72-134-8-2

26112

MELVIN H. SNIDER

ID FLORENCE ARMETHA SNIDER (HUSBAND)

139-81-58
D WIFE)

of MONTGOMERY

County, OHIO

DAYTON

paid, grant(s), with general warranty covenants to

GREGORY THOMAS ACKERMAN AND JOYCE LOUISE ACKERMAN

whose tax mailing address is 556 SHADOLAWN AVENUE, DAYTON, OHIO 45419
the following real property:

SEE EXHIBIT "A" ATTACHED

VICKI D. PEGG
RECORDER 12.

87 DEC 10 AM 10:36 G

20610 403 123.00

MONTGOMERY CO. OHIO
RECORDEDEST DEC 10 AM 10:36 G
RECORDED
TRANSFERRED
RECORDERPrior Instrument Reference: DEED MICROFICHE NO. 79-82-A11
This conveyance is made subject to all legal highways and easements, all restrictions, conditions and covenants of record, all zoning restrictions, and all taxes and assessments not yet payable.Witness HER hand(s) this 8TH day of DECEMBER, 1987.
WITNESS HIS HAND THIS 8TH DAY OF DECEMBER, 1987.

Signed and acknowledged in presence of:

1) Gregory Thomas Ackerman
2) David W. Welty
3) X George F. Breslin Jr.
4) X David W. Welty1) Melvin H. Snider
2) X Florence Armetha Snider
3) FLORENCE ARMETHA SNIDER

State of Ohio

, County of MONTGOMERY

88

The foregoing instrument was acknowledged before me this day of
DECEMBER 87
19 : by FLORENCE ARMETHA SNIDERDavid W. Welty
X Notary PublicDAVID W. WELTY, Notary Public
In and for the 12th Dist of Ohio
My Commission Expires 1/25/90

87-4000

This instrument prepared by
J. MURRAY KENNEDY
Attorney at Law

DEED 87-0727 E03

COVER

The foregoing instrument was acknowledged before me this 8TH day of
DECEMBER 87, by MELVIN H. SNIDER



TERRY A. HALL, Notary Public
In and for the State of Ohio
My Commission Expires Nov. 25, 1990

MEMO TO: MRS TITLE AGENCY, INC.
116 E. Third Street
Dayton, Ohio 45402

MILLONG, BART AND BRUNNER
ATTORNEYS AT LAW
154 EAST THIRD STREET
DAYTON, OHIO 45462

EXHIBIT "A"

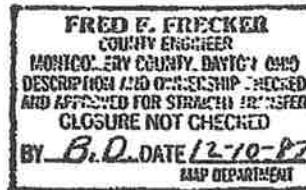
PARCEL I:

Situate in the City of Dayton, County of Montgomery and State of Ohio and being part of Lot Numbered Sixty One Thousand Four Hundred Thirty Six (61,436) of the revised and consecutive numbers of lots on the Plat of said City of Dayton, being bounded and more particularly described as follows:

Beginning at an iron pin in the west line of said lot, said iron pin is located at the northeast corner of Lot No. Sixty Three Thousand Three Hundred Eighty One (63,381) of the revised and consecutive numbers of lots on the Plat of said City of Dayton and the Southeast corner of Lot No. Sixty Three Thousand Three Hundred Eighty Two (63,382) of said City of Dayton; thence from above said beginning point northwardly with the west line of Lot No. (61436) of said City of Dayton, a distance of fifty-one (51) feet to an iron pin located at the northeast corner of Lot No. (63,382) of the said City of Dayton; thence eastwardly with the north line of Lot No. (63,382) extended a distance of one hundred seventeen and eighty-six hundredths (117.86) feet to an iron pin in the east line of Lot No. (61,436) of said City of Dayton; thence southwestwardly with the east line of said Lot No. (61,436) a distance of fifty-one and four hundredths (51.04) feet to an iron pin; thence westwardly and parallel with the north line of this described tract a distance of one hundred fifteen and eighty-three hundredths (115.83) feet to the place of beginning, containing one hundred thirty-seven thousandths (0.137) acres.

PARCEL II:

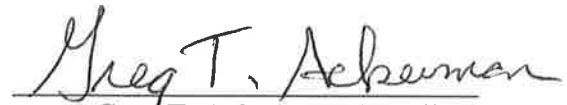
Situate in the City of Dayton, County of Montgomery and State of Ohio and being Lot Numbered Sixty Three Thousand Three Hundred Eighty Two (63,382) of the revised and consecutive numbers of lots on the plat of said City of Dayton, Ohio.



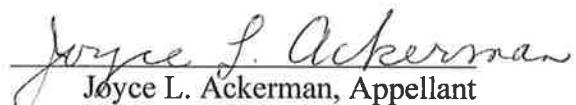
CONCLUSION

Appellant prays this Honorable Supreme Court of the United States to affirm their relevant emergency Motion for stay of writ of certiorari, when necessary, reconsideration of request and motion for Mediation, re-establish jury demand action as required by law, re-establish proper and meaningful property rights, investigation and prosecution of theft and deception crimes, and all other interest of law, as justice so requires.

Respectfully submitted,



Greg T. Ackerman, Appellant
Appearance personally
Pursuant to 28 U.S.C. § 1654
556 Shadowlawn Ave.
Dayton, Ohio 45419
937-293-4267
Mailing address
1 Oakwood Ave,
Wright Brothers P.O. Box 911
Oakwood, Ohio 45409



Joyce L. Ackerman, Appellant
Appearance personally
Pursuant to 28 U.S.C. § 1654
556 Shadowlawn Ave.
Dayton, Ohio 45419
937-293-4267
Mailing address
1 Oakwood Ave,
Wright Brothers P.O. Box 911
Oakwood, Ohio 45409

CETIFICATE OF SERVICE

We, Greg T. Ackerman and Joyce L. Ackerman, on this date of 4/4/22, certify that a copy of this "Motion for Stay for filing Writ of Certiorari pending request and motion for compelling mediation proceedings" (Cover letter only to the Clerk until the case matter is docketed with a new action case number, to save paper and cost if indigent party) was sent by priority mail to:

Rick D. DeBlasis and William P. Leaman,
Lerner, Sampson & Rothfuss
120 E. Fourth Street 8th Floor
Cincinnati, Ohio 45202

Michael W. Hawkins, Patrick W. Michael, Angela Logan Edwards, Dinsmore's headquarters in Cincinnati, 255 E. Fifth Street Suite 1900 Cincinnati, OH 45202
Legal Representative for Fortis Benefits Insurance Company, aka Assurant, Inc.

Brian E. Chapman 3962 Red Bank Road Cincinnati, Ohio 45227
Legal Representative for U.S. Bank, N.A.

Necessary Intervention under Article VI of the Constitution of the United States;

President Joe Biden
Vice President Kamala Harris
The White House
1600 Pennsylvania Ave NW
Washington, DC 20500

Attorney General Merrick B. Garland
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Ohio Governor Mike DeWine
Lt. Governor Jon Husted
Riffe Center
77 S High St 30th Floor,
Columbus, OH 43215

Ohio Attorney General David Yost
30 E. Broad St., 14th Floor
Columbus, OH 43215

And,

Ohio Supreme Court Commission Secretary:
Bradley J. Martinez, Esq. Supreme Court of Ohio
65 South Front Street Columbus, Ohio 43215

United States Capital Historical Society
200 Maryland Avenue NE
Washington, DC 20002
Informational and Educational resources for its members and the general public.

Respectfully submitted,

Greg T. Ackerman

Greg T. Ackerman, Pro Se / Petitioner
556 Shadowlawn Avenue
Dayton, OH 45419
937-293-4267

Joyce L. Ackerman

Joyce L. Ackerman, Pro Se / Petitioner
556 Shadowlawn Avenue
Dayton, OH 45419

REASONS FOR GRANTING STAY FOR FILING PETITIONER(S) WRIT OF CERTIORARI

What are the Advantages to Mediation versus possible additional necessary litigation?
<https://www.supremecourt.ohio.gov/Clerk/mediation/faq.asp>

- Parties have increased control over the process and the outcome.
- Personal involvement of parties: Through direct contact with other parties, individuals are able to hear and understand the other side's point of view.
- Confidentiality
- Less adversarial and hostile process
- May decrease litigation time, thus saving the parties additional expense
- Creative resolutions
- Allows the parties to assess the strengths and weaknesses of both sides of the case
- Agreements conclude the dispute at the Supreme Court of Ohio, as well as in other legal forums

CONCLUSION

Petitioner prays this Honorable Supreme Court of the United States to affirm this Motion for Stay for filing Writ of Certiorari pending the outcome of Request for Mediation and Mediation Proceedings in the Supreme Court of Ohio.

Respectfully submitted,



Greg T. Ackerman
Petitioner / Pro Se
556 Shadowlawn Ave.
Dayton, Ohio 45419
PO, Box 911
1 Oakwood Ave. O
Oakwood Ohio 45409
934-293-4267



Joyce L. Ackerman
Petitioner / Pro Se
556 Shadowlawn Ave.
Dayton, Ohio 45419
PO, Box 911
1 Oakwood Ave. O
Oakwood Ohio 45409

IN THE SUPREME COURT OF THE UNITED STATES

Affidavit of Facts by GREGORY T. ACKERMAN

State of Ohio, Montgomery County

I, Greg T. Ackerman Joyce L. Ackerman, of 556 Shadowlawn Ave. Dayton, Ohio 45419 for 33+ years, states and declares;

- 1) I, Joyce L. Ackerman, is over 18 years of age and competent to testify of my own knowledge of the facts,
- 2) I have set forth such facts, as would be admissible in evidence; stated herein are true, correct, and complete to the best of our knowledge and understanding,
- 3) I state that I have a medical disability hardship, and financial hardship caused by alleged acts of insurance company fraud, mortgage fraud, and further alleging fraud on the State and Federal Court(s)(2000 – present)
- 4) Additional details and material facts of alleged overt acts to defraud the United States with malice, tragic hardships, and what is at stake for all United States Citizen(s) can be found at www.badfaith.info and www.constitutionrecue.org
- 5) I declare under penalty of perjury that the statements made in this complaint are complete, true and correct to the best of our knowledge.

Respectfully Submitted,

Greg T. Ackerman
Affiant / Greg T. Ackerman

Date 1/24/2022

Before me, the undersigned authority in Montgomery County, Ohio, personally appeared

Greg T. ACKERMAN, who is known to me and sworn to, and
subscribed before me this 24 day of JANUARY, 2022.

NOTARY PUBLIC

My commission Expires: July 4, 2023

IN THE SUPREME COURT OF THE UNITED STATES

Affidavit of Facts by GREGORY T. ACKERMAN

State of Ohio, Montgomery County

I, Joyce L. Ackerman, of 556 Shadowlawn Ave. Dayton, Ohio 45419 for 33+ years, states and declares;

- 1) I, Joyce L. Ackerman, is over 18 years of age and competent to testify of my own knowledge of the facts,
- 2) I have set forth such facts, as would be admissible in evidence; stated herein are true, correct, and complete to the best of our knowledge and understanding,
- 3) I state that I have a medical disability hardship, and financial hardship caused by alleged acts of insurance company fraud, mortgage fraud, and further alleging fraud on the State and Federal Court(s)(2000 – present)
- 4) Additional details and material facts of alleged overt acts to defraud the United States with malice, tragic hardships, and what is at stake for all United States Citizen(s) can be found at www.badfaith.info and www.constitutionrecue.org
- 5) I declare under penalty of perjury that the statements made in this complaint are complete, true and correct to the best of our knowledge.

Respectfully Submitted,

Greg T. Ackerman
Affiant / Greg T. Ackerman

Date 6/16/22

Before me, the undersigned authority in Montgomery County, Ohio, personally appeared

Greg Ackerman, who is known to me and sworn to, and
subscribed before me this 10 day of June, 2022.

Daniel A Koons
NOTARY PUBLIC

My commission Expires: 12-18-2025



Daniel A Koons, Notary Public
In and for the State of Ohio
My Commission Expires Dec. 18, 2022

IN THE SUPREME COURT OF THE UNITED STATES

Affidavit of Facts by JOYCE L. ACKERMAN

State of Ohio, Montgomery County

I, Joyce L. Ackerman Joyce L. Ackerman, of 556 Shadowlawn Ave. Dayton, Ohio 45419 for 33+ years, states and declares;

- 1) I, Joyce L. Ackerman, is over 18 years of age and competent to testify of my own knowledge of the facts,
- 2) I have set forth such facts, as would be admissible in evidence; stated herein are true, correct, and complete to the best of our knowledge and understanding,
- 3) I state that I have a medical disability hardship, and financial hardship caused by alleged acts of insurance company fraud, mortgage fraud, and further alleging fraud on the State and Federal Court(s)(2000 – present)
- 4) Additional details and material facts of alleged overt acts to defraud the United States with malice, tragic hardships, and what is at stake for all United States Citizen(s) can be found at www.badfaith.info and www.constitutionrecue.org
- 5) I declare under penalty of perjury that the statements made in this complaint are complete, true and correct to the best of our knowledge.

Respectfully Submitted,

Joyce L. Ackerman
Affiant / Joyce L. Ackerman

Date 1/24/2022

Before me, the undersigned authority in Montgomery County, Ohio, personally appeared

Joyce L. Ackerman, who is known to me and sworn to, and
subscribed before me this 24th day of January, 2022.

Joyce Hanes
NOTARY PUBLIC
My commission Expires:

July 4, 2023



Joyce Hanes, Notary Public
In and for the State of Ohio
My Commission Expires July 4, 2023

IN THE SUPREME COURT OF THE UNITED STATES

Affidavit of Facts by JOYCE L. ACKERMAN

State of Ohio, Montgomery County

I, Joyce L. Ackerman Joyce L. Ackerman, of 556 Shadowlawn Ave. Dayton, Ohio 45419 for 33+ years, states and declares;

- 1) I, Joyce L. Ackerman, is over 18 years of age and competent to testify of my own knowledge of the facts,
- 2) I have set forth such facts, as would be admissible in evidence; stated herein are true, correct, and complete to the best of our knowledge and understanding,
- 3) I state that I have a medical disability hardship, and financial hardship caused by alleged acts of insurance company fraud, mortgage fraud, and further alleging fraud on the State and Federal Court(s)(2000 – present)
- 4) Additional details and material facts of alleged overt acts to defraud the United States with malice, tragic hardships, and what is at stake for all United States Citizen(s) can be found at www.badfaith.info and www.constitutionrecue.org
- 5) I declare under penalty of perjury that the statements made in this complaint are complete, true and correct to the best of our knowledge.

Respectfully Submitted,

Joyce L. Ackerman
Affiant / Joyce L. Ackerman

Date June 10, 2022

Before me, the undersigned authority in Montgomery County, Ohio, personally appeared

Joyce Ackerman, who is known to me and sworn to, and
subscribed before me this 10 day of June, 2022.

Daniel A Koons
NOTARY PUBLIC

My commission Expires: 12-18-2022



Daniel A Koons, Notary Public
In and for the State of Ohio
My Commission Expires Dec. 18, 2022