

SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK  
WASHINGTON, DC 20543-0001

June 14, 2021

RE: Stephens v. Stephens  
USCA8 No. 19-3407

Misters Harris and Duggan

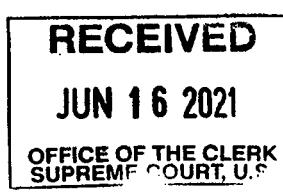
As instructed in your letter of June 2, 2021, I as *Pro se* Plaintiff am requesting that you “resubmit my petition with a motion to file it out-of-time” in petitioning for Writ of Certiorari. Plaintiff has attempted to follow the rules of the courts but very much regrets unknowingly missing the November 2, 2020, deadline mentioned.

The following state and federal statutes, rules, and standards, laws of the United States court system, apply to this case. They have been abused by so-called “officers of the courts” to swindle those unfamiliar with the laws of these courts. And these violated laws have not been enforced, nor have the lawbreakers been held accountable:

**MN Stat § 508 Registration of Land** allows a registered owner to “apply petition to the *court*” that alteration should be made to their certificate of title.

The *very first initial judgment in this case was fraudulent*. Among other things, this judgment was decided in *secret unlisted hearings, without summoning* the Plaintiff to be present, without *due process*, and *without the Plaintiff being notified of any of the numerous actions taken*. This fraudulent judgment was *then repeated in appeals court decision after decision* after compounded decision; and, of course, all the appeals culminated in the opposition’s favor. These *court law violations continue to be ignored and not addressed*. This first fraudulent decision was deliberate and caused the legal process to go wrong. *The Plaintiff lost appeals judgments not legally but fraudulently, and in the process, she has lost her home which represents her life savings.*

**MN Stat § 508 Registration of Land—Section 508.71 Alterations**; also, **§ 508.19 Decree on default** (biased change to Torrens in attempt to block Plaintiff’s ownership, no notice, no summons); **§ 508.22 Decree of Registration; effect** Under the Torrens Act, a purchaser is not in good faith only if he has actual notice of claim of *one who was not made a party to the registration proceeding*. Moore v. Henricksen, 1968, 282 Minn. 509, 165 N.W.2d 209; Minnesota Statutes Annotated, p.42, Vol 29A, 2014; **§ 508.26 Opening decree** (Plaintiff had no knowledge of Torrens actions to file an answer); **§ 508.28 Limitations of Actions Fraud upon**



the court can constitute sufficient grounds to render a judgment not binding in proceedings under the Torrens Act to register title. *Village of Savage v. Allen*, 1959, 255 Minn. 73, 95 N.W.2d 418; Minnesota Statutes Annotated, p.61, Vol 29A, 2014; **§ 508.39 Notices after registration; service** All notices...after original registration...shall be served on the persons to be notified in the following manner...service of a summons; (Plaintiff never received summons or notice of Torrens registration); **§ 508.40 Copy of certificate of title** to be furnished to owner (new Torrens certificate of title never received); **§ 508.51 Voluntary instrument** (*"In all cases of registration which are procured by fraud, the owner may pursue all legal and equitable remedies against the parties to such fraud...."*; **§ 508.80 Fraudulent instrument or entry; penalty** Whoever fraudulently procures, or assists in fraudulently procuring, or is privy to... any certificate of title or other instrument or of any entry in the register of titles...or knowingly defrauds, or is privy to defrauding, any person by means of a false or fraudulent instrument, certificate, statement, or affidavit affecting registered land, shall be guilty of a felony punishable by a fine...or by imprisonment..., or by both.”

**Present Certificate of Title**—see II. Addendum—20—**No Torrens designation.** No date. Plaintiff never received notice of above steps regarding change. **Original** grandfathered title—II. Addendum—17-- dated December 21, 2000, **Warrranty Deed** in upper left corner. In 20 years of ownership of present property, Plaintiff has never seen or heard mention of “Torrens” related to it, until during this litigation.

### **Void Judgment**

It is only proper to void the wrongful decisions made in the *initial secret unregistered hearings* by Plaintiff’s Defendant son Stephen Stephens, his father-in-law attorney Colby Lund, Ramsey County Title Examiners Wayne Anderson and Nathan Bissonette, and Ramsey County District Judge Shawn Bartsh, who was also aware of these unlawful hearings, as previously stated and documented. The Plaintiff was denied due process and legal representation, as no attorney would take her case considering it already decided. (I. Addendum, Bissonette, excerpt Report, 11.09.16; Judge Bartsh, Register of Actions).

### **§ 15.06 Void Judgments**

Generally, the court may relieve a party from a final judgment that is void. Judgment entered without due service of process is absolutely void. (If a party was not notified of proceeding and given reasonable opportunity to participate, court did not have personal jurisdiction over party and could not render decision that would be binding as to that party; (*Lange v. Johnson*, 295 Minn, 320, 204 N.W.2d 205 (1973); (**Dunnell Minnesota Digest, An Encyclopedia of Minnesota Law**, Sixth Edition, Vol 29 Judgments, p 26).

“A valid judgment cannot be rendered against a party without due service process upon him. A *judgment entered without due service of process is absolutely void, not merely irregular or erroneous.* *Beede v. Nides Finance Corp.*, 209 Minn. 354, 296 N.W. 418 (1941). Generally, an erroneous judgment or one founded on some irregularity is voidable.” (**Westlaw**, 2019, Thomson Reuters, p. 3). Plaintiff was not served or in any way notified of countless hearings both on record and off to be allowed due process in decisions on her property. Again violating **Minn. Stat. 508.71...**”nothing shall be done or ordered by the court which shall impair the title

or other interest of a purchaser who holds a certificate of title for value and in good faith,... without written consent of the purchaser....” One of the secret hearings decided to cancel my home loan. (I. Addendum, transcript, 01.04.17, p.2).

Void judgment needs to be entered and an impartial decision made.

**Rule 60.02, Rules of Civil Procedure:** ...”*the court may relieve a party...from a final judgment*...and may order a new trial or grant such other relief as may be just for the following reasons: (a) ...excusable neglect;...(c) *Fraud..., misrepresentation, or other misconduct of an adverse party*; (I. Addendum, *Pro Se Plaintiff's Citings for Void Judgment*, including Lund 05.17.17 letter re life estate); (d) The judgment is void;... (f) Any other reason justifying relief from the operation of the judgment. The motion shall be made within a reasonable time.”

Plaintiff requests, instead, to *allow her merits of the case, her preponderance of evidence*, for a rightful decision granting her the sole 100 percent free and clear return of her home, her life savings, of which she assigned ¼ to each of her two children in good faith some 20 years ago and is now being defrauded and forced into selling her home for their inheritance. The adverse side has absolutely no discovery because Defendant Stephen Stephens, the Plaintiff's son, has absolutely no proof of purchase or payments of taxes, insurance, maintenance, etc. (II. Addendum, *Pro Se Plaintiff's Merits of the Case and Preponderance of Evidence*; IV. Addendum, *Pro Se Plaintiff's Own Earlier Court Documents including Citations, Details, and Arguments*).

#### **LR1.3 Sanctions, United States District Court, District of Minnesota**

If an attorney, law firm, or party violates these rules or is responsible for a rule violation, the court may impose appropriate sanctions as needed to protect the parties and the interest of justice.

Plaintiff requests justice in accountability, sanctions, fines, relief, and reparation for violations of U.S. and Minnesota statutes, rules, and standards, as previously stated and documented, from the five individuals already named.

#### **Senior fraud is a worldwide problem**

This case is not just personal and isolated.. Sadly, family senior fraud is recognized and researched, but not prosecuted. V. Worldwide Senior Fraud, Problem Recognized and Researched but not Prosecuted, includes news prints about recognition and research, but always no legal help.

Fraud, and in particular family senior fraud, is a growing problem in these stressful economic times. It is especially concerning since globally the population is aging rapidly and the number of births and workers is declining. Therefore, there is this special niche that should welcome self-sufficient seniors. The Plaintiff knows firsthand that her future without the return of total control of HER savings appears very bleak and very uncertain indeed!

Carol Vanerka Stephens

June 14, 2021

The *Pro se* Plaintiff also respectfully requests that the Court please notice that she has taken great care to organize and number pages to best present her case as a nonlegal professional and asks that, if at all possible, to please submit her appeal in its entirety and in the order presented. Thank you all for your considerations and help in navigating the legal process.

In conclusion, please grant Plaintiff's Writ of Certiorari in order to right these gross miscarriages of justice at the district court level. Based on the foregoing, (1) please vacate all decisions in the *Pro Se* Plaintiff's property dispute; (2) render decisions determined by the Plaintiff's merits of the case and preponderance of evidence, and (3) return her life savings, her home, 100 percent free and clear for her future.

Sincerely



Carol Vanerka Stephens, *Pro se* Plaintiff  
PO Box 131916  
Saint Paul, MN 55113  
651.489.3531

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

No: 19-3407

Carol Vanerka Stephens

Appellant

v.

Stephen Stephens

Appellee

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Appeal from U.S. District Court for the District of Minnesota  
(0:19-cv-01689-ECT)

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**ORDER**

The petition for rehearing by the panel is denied.

June 05, 2020

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans

**UNITED STATES COURT OF APPEALS  
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No: 19-3407

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Plaintiff - Appellant

v.

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Defendant - Appellee

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**JUDGMENT**

Before BENTON, WOLLMAN, and ERICKSON, Circuit Judges.

This court has reviewed the original file of the United States District Court. It is ordered by the court that the judgment of the district court is summarily affirmed. See Eighth Circuit Rule 47A(a).

April 10, 2020

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans

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