

Original

NO. 22-6478

**In the
Supreme Court of the United States**

Hanan Shiheiber,

Petitioner,

v.

J.P. Morgan Chase Bank, N.A..

Respondent.

**PETITION FOR A WRIT OF CERTIORARI
TO THE COURT OF APPEAL OF CALIFORNIA,
FIRST APPELLATE DISTRICT, DIVISION TWO**



PETITION FOR REHEARING



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TABLE OF CONTENTS

TABLE OF AUTHORITIES	ii
PETITION FOR REHEARING	1
CONCLUSION.....	8
CERTIFICATE OF GOOD FAITH	9

TABLE OF AUTHORITIES

FEDERAL CASES

Gallagher v. J.P. Morgan Chase Bank, N.A., 2022 U.S. Dist. LEXIS 87479, 2022 WL 1538923 (D. Mass. May 16, 2022)	<u>5</u>
In re JPMorgan Chase Bank, N.A., 799 F.3d 36, 2015 U.S. App. LEXIS 14721 (1st Cir. Mass. August 21, 2015).	<u>7</u>
JP Morgan Chase Bank, N.A. v. Roggio, 2023 U.S. Dist. LEXIS 16420, 2023 WL 1456782 (D.N.J. January 30, 2023).	<u>4</u>
McClain v. Wells Fargo & Co., 2023 U.S. Dist. LEXIS 16045, 2023 WL 1108016 (D. Md. January 30, 2023)	<u>5</u>
Russell v. Citigroup, 2023 U.S. Dist. LEXIS 32442 (E.D.N.Y. February 24, 2023) .	<u>5</u>
Smith v. J.P. Morgan Chase Bank, 2023 U.S. Dist. LEXIS 275, 2023 WL 27878 (N.D. Ga. January 3, 2023)	<u>5</u>
Trice v. FDIC, 2022 U.S. Dist. LEXIS 213188, 2022 WL 17250284 (D.D.C. November 28, 2022)	<u>4</u>
United States ex rel. Schneider v. JPMorgan Chase Bank, Nat'l Ass'n, 878 F.3d 309 (D.C. Cir. 2017).	<u>7</u>
United States v. Bittner, 598 U.S. ___, 143 S.Ct. 713 (2023)	<u>4</u>

STATE CASES

Greer v. Rushmore Loan Mgmt. Services and J.P. Morgan Chase Aquisition Servs., 2022 Tex. App. LEXIS 9375, 2022 WL 17835229 (Tex. App. Houston 1st Dist. December 22, 2022)	<u>5</u>
Starkey v. Deutsche Bank National Trust Company, 2023 Mass. App. Unpub. LEXIS 35, 102 Mass. App. Ct. 1107, 2023 WL 325010 (Mass. App. Ct. January 20, 2023)	<u>6</u>

Code of Federal Rules and Regulations

12 CFR Part 204.....	1
----------------------	---

Court Rules

Sup. Ct. R. 5	3
Sup. Ct. R. 9	3

MISCELLANEOUS

Erin Doherty, How Silicon Valley Bank failed, Newstex Blogs Axios, March 13, 2023	6
Michael Hudson, Why The Banking System Is Breaking Up	6
Illinois AG Kwame Raoul, Asked To Investigate Continuing Foreclosure (February 23, 2023 Thursday). Press Releases	6
https://www.debt.org/blog/jpmorgan-chase-debt-collection-fraud	7

PETITION FOR REHEARING

Petitioner, Hanan Shiheiber, respectfully submits this Petition for Rehearing of the February 27, 2023 Order of this Court denying this petition for a writ of certiorari. She attaches the certification required by this Court's Rule 44(2).

As detailed in the underlying petition, Petitioner, Hanan Shiheiber, brought this fraud and wrongful foreclosure action against JP MorganChase Bank. Shiheiber lost three high-value properties in San Mateo County when Chase falsely claimed the IRS cleared out the account paying her mortgage, got a payment from her in the amount Chase told her was needed to bring the mortgage current, and then foreclosed anyway on the main property. Chase had a receiver appointed who ran the main property into the ground, and Chase foreclosed on the other properties even though it had money of Shiheiber's sitting in a back-up account, which it has never released.

The bank took her account money and used them to their advantage. Banks are to retain 10 percent of depositor's money in liquid assets. (Reserve Requirements of Depository Institutions, 12 CFR Part 204. JP Morgan Chase Bank

disregarded and violated the banking regulations implemented by the US government agencies which they are obligated to follow. Petitioner had \$224,000 in one account and an additional \$99,000 in another account, a total of \$323,000 , both accounts had auto pay set up for her mortgage payments.

Respondent used the IRS as a false excuse against her, when they received a payoff request from another lender. JP Morgan Chase Bank wanted to cover up the fact that they didn't own the loans, and so decided to ruin Petitioner's abilities to refinance the properties, and hence destroying her good name and ruined and harmed her life. JP Morgan Chase Bank filed false credit reporting to the credit reporting agencies and against her three properties mortgage payments. Petitioner was way ahead on all three of her mortgage payments. See Marie McDonnell, expert accounting witness, accounts for Petitioner's three mortgage payments.

In her petition, Shiheiber argued that certiorari should be granted to resolve the issue of whether chase owns mortgages of WAMU under the P & A agreement and to whether Chase committed outright fraud in this and other case by reason of its violation of state and federal law and thus is estopped from foreclosing on property.

At the outset, Petitioner was entitled to a default because the party filing the waiver, Mia S. Blackler, was not a licensed attorney in this Court. Rule 9(1) specifically provides that An an “attorney seeking to file a document in this Court in a representative capacity must first be admitted to practice before this Court as provided in Rule 5.” Moreover, Blackler would not qualify for admission because she has failed to demonstrate that she was admitted to practice in the highest court of a state “for a period of at least three years immediately before the date of application; must not have been the subject of any adverse disciplinary action pronounced or in effect during that 3-year period; and must appear to the Court to be of good moral character.” Rule 5(a). Because she cannot meet these requisites she is not eligible to file any documents in this Court and her submission must be deemed a nullity.

Petitioner sent a Motion for Judgment on Default to the Court on March 7, 2023 through UPS with tracking number 1ZF93W398236487490. She is entitled to a ruling and to receive the amount of 3.3 billion dollars due to JP Morgan Chase Bank void response.

This is new information that was not available at the time that the petition for certiorari was filed. Petitioner leaves it to this Court to determine the measure of

discipline that is required, which, at the very least, should be a referral to the State Bar of California for deliberately violating the rules of this Court and, in effect, practicing a fraud on the Court and the Petitioner.

As to the substantive questions, although the issues presented divided other courts throughout the country, certiorari was apparently denied on the grounds of lack of public importance. Recent developments since the filing of the petition for certiorari have shown that this case presents issues of paramount public importance, warranting certiorari.

Indeed, while the certiorari petition was pending, this Court decided *United States v. Bittner*, 598 U.S. ___, 143 S.Ct. 713 (2023), which determined issues under the Bank Secrecy Act. The decision was by a divided court and issues, such as those involving continual fraudulent conduct by a bank, were not determined.

Recent decisions show a conflict as to whether Chase is the owner of the mortgage loans or merely a loan servicer. See *Trice v. FDIC*, 2022 U.S. Dist. LEXIS 213188, *2, 2022 WL 17250284 (D.D.C. November 28, 2022); *JP Morgan Chase Bank, N.A. v. Roggio*, 2023 U.S. Dist. LEXIS 16420, *1, 2023 WL 1456782 (D.N.J. January 30, 2023); *Starkey v. Deutsche Bank National Trust Company*, 2023 Mass.

App. Unpub. LEXIS 35, *2, 102 Mass. App. Ct. 1107, 2023 WL 325010 (Mass. App. Ct. January 20, 2023). These cases show that the issue cries out for immediate resolution by this Court.

There are even more recent cases in which Chase's fraud is being litigated. See *Smith v. J.P. Morgan Chase Bank*, 2023 U.S. Dist. LEXIS 275, *1, 2023 WL 27878 (N.D. Ga. January 3, 2023); *McClain v. Wells Fargo & Co.*, 2023 U.S. Dist. LEXIS 16045, *1, 2023 WL 1108016 (D. Md. January 30, 2023); *Russell v. Citigroup*, 2023 U.S. Dist. LEXIS 32442, *14 (E.D.N.Y. February 24, 2023); *Gallagher v. J.P. Morgan Chase Bank, N.A.*, 2022 U.S. Dist. LEXIS 87479, *1, 2022 WL 1538923 (D. Mass. May 16, 2022); *Greer v. Rushmore Loan Mgmt. Services and J.P. Morgan Chase Aquisition Servs.*, 2022 Tex. App. LEXIS 9375, *1, 2022 WL 17835229 (Tex. App. Houston 1st Dist. December 22, 2022)

In addition, the massive fraud conducted by Chase is undermining the banking system. See Michael Hudson, *Why The Banking System Is Breaking Up* – OpEd., *Eurasia Review*, at

<https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:67SC-9CP1-JDJN-61C3-00000-00&context=1516831>. See also Illinois AG Kwame Raoul, Asked To Investigate Continuing Foreclosure (February 23, 2023 Thursday). Press Releases. at

<https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:67MB-BNN1-JBR8-B30N-00000-00&context=1516831>.

Mortgage fraud is at least one cause of the recent collapse of Silicon Valley Bank. Erin Doherty, How Silicon Valley Bank failed, Newstex Blogs Axios, March 13, 2023 Monday, available at

<https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:67S9-1X51-F03R-N169-00000-00&context=1516831>.

All the violations against JP Morgan Chase Bank history are shown at <https://www.google.com/url?sa=t&source=web&rct=j&url=https://violationtracker.googlejobsfirst.org/parent/jpmorgan-chase&ved=2ahUKEwjYobDo39T9AhWoOkQIHZiLBkgQFnoECFcQAQ&usg=AOvVaw2rclLXAqhRK-UwVPYjbomI> . This an important part of disclosure in the case. Also, JP Morgan Chase Bank recently got sued by the Justice Department and the Consumer Financial Protection Board for Robo signing

during the 2008 period. See

<https://www.consumerfinance.gov/about-us/newsroom/cfpb-47-states-and-d-c-take-action-against-jpmorgan-chase-for-selling-bad-credit-card-debt-and-robo-signing-court-documents/>

Vice President Harris, then Attorney General of California, filed suit against JPMorgan Chase, accusing it of widespread fraudulent practices, illegal misconduct, and other debt-collection abuses.

<https://www.debt.org/blog/jpmorgan-chase-debt-collection-fraud/> And Justice

Kavanaugh was a member of the panel in *United States ex rel. Schneider v. JPMorgan Chase Bank, Nat'l Ass'n*, 878 F.3d 309 (D.C. Cir. 2017) in which Chase was forced to enter into a settlement agreement in connection with its fraud. See also *In re JPMorgan Chase Bank, N.A.*, 799 F.3d 36, 37, 2015 U.S. App. LEXIS 14721, *1 (1st Cir. Mass. August 21, 2015) (violation of bank secrecy act).

In short, this case presents paramount issues of substantial public importance.

CONCLUSION

Accordingly, in light of the foregoing, this Court should grant certiorari, summarily reverse and mandate the Court of Appeal of California, First Appellate District, to direct the entry of a judgment in the sum of 3.3 billion dollars due to JP Morgan Chase Bank void response.

Respectfully submitted, this 17th day of March, 2023.


/s/ Hakan Shiheiber

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