

22-7047

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

FILED  
MAR 13 2023

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE  
SUPREME COURT OF THE UNITED STATES

Ilana Rigwan — PETITIONER  
(Your Name)

vs.

Court Withdraw — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Florida Supreme Court

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

PETITION FOR WRIT OF CERTIORARI

Ilana Rigwan  
(Your Name)

936 SW. 1<sup>st</sup> Ave.  
(Address)

Miami, FL 33131  
(City, State, Zip Code)

n/a.  
(Phone Number)

## **QUESTIONS PRESENTED**

HOW CAN PROPERTY IN THE UNITED STATES BE  
TRANSFERRRED BY THE COURT AS HAVING A 'MORTGAGE'  
WITHOUT A MORTGAGE NOTE?

HOW CAN PROPERTY IN THE UNITED STATES BE  
TRANSFERRRED BY THE COURT WITH PROVEN FALSE FACTS?

HOW CAN PROPERTY IN THE UNITED STATES BE  
TRANSFERRRED BY THE COURT AND THE RIGHTFUL OWNER  
'RUSH EVICTED' BY THE COURT, LOCAL GOVERNMENT AND  
LOCAL POLICE WHILE LITIGATION WAS PENDING?

HOW CAN PROPERTY IN THE UNITED STATES BE  
TRANSFERRRED BY THE COURT WHEN THE PROPERTY WAS  
DESTROYED AND NONEXISTENT PER THE CONVEYED  
PROPERTY DESCRIPTION?

HOW CAN PROPERTY IN THE UNITED STATES BE  
TRANSFERRRED BY THE COURT WHEN THE LEGAL  
DESCRIPTION WAS WRONG IN THE QUICKCLAIM DEED  
APPROXIMATELY 20 YEARS?

HOW CAN PROPERTY IN THE UNITED STATES BE  
TRANSFERRRED BY THE COURT WHEN THE QUICK CLAIM DEED  
WAS CLOUDED BY DANGEROUS INTENT?

HOW CAN PROPERTY IN THE UNITED STATES BE  
TRANSFERRRED BY THE COURT WHO ABUSED THE LAW FOR  
OVER 20 YEARS TO SIDE WITH CRIMINALS?

HOW CAN PROPERTY IN THE UNITED STATES BE  
TRANSFERRED BY THE COURT UNLAWFULLY?

HOW CAN PROPERTY IN THE UNITED STATES BE WRONGLY  
TRANSFERRED BY THE COURT AND THERE ARE NO  
REPRICUSSIONS?

ISN'T PROPERTY IN THE UNITED STATES TRANSFERRED  
VIA COURT SCHEME AND ORGANIZED CRIME ILLEGAL?

**PARTIES LISTED**

Ilana Rigwan is the only party fighting this case. The Kangaroo Court withdrew the guilty parties to exonerate themselves. Per case in Appendix D, Petitioner Ilana Rigwan is allowed to fight her case alone on the merits, "as there was no other method available to the Claimant." Petitioner addressed Court to Not Withdraw the Parties several times and was denied more than once.

A list of parties in SCOTUS Cases 2019-6695 + 2021-5896 may be referenced, PLUS added to, in the event this case is granted.

**RELATED CASES**

A list of related cases in SCOTUS Cases 2019-6695 + 2021-5896 may be referenced, PLUS added to, should this case be granted.

## **TABLE OF AUTHORITIES**

Stanley D. Chess vs. Edmund J. Sweeney, et al., Florida **Third District Court of Appeal**, 3D20-1167, LC 18-1008, 8/18/21.

Azran Miami 2,LLC vs. US Bank Trust, N.A.,etc., Florida **Third District Court of Appeal**, 3D20-1712, LC No. 16-14544 8/3/22.

Joseph T. Buset vs. HSBC Bank USA, etc., Florida **Third District Court of Appeal**, 3D21-606, LC 12-38811

Carrington Mortgage Services, LLC, et al. vs. Julie Nicolas, et al., Florida **Third District Court of Appeal**, 3D21-1300, 3D21-1304, 3D21-1311 & 3D21-1320, LC 18-37059

Bank of New York Mellon, etc. vs. Regis Bontoux, et al., Florida **Third District Court of Appeal**, 3D21-1869, LC 19-10810

Boardwalk at Daytona Development, LLC, vs. Panormitis Paspalakis et al., Florida **Fifth District Court of Appeal**, 5D15-1944, 220 So.3d 457, 11/18/16.

John E. Meyer and L. Leona Meyer, His Wife v. Neil F. LAW, Jr. and Lucille W. Law, His Wife, **Florida Supreme Court**, No. 42788, 287 So. 2d 37 7/5/73: Color Of Title & Adverse Possession.

*Osbourne v. Persons unknown and others*, EWHC 39 (KB), 2023

## **TABLE OF CONTENTS**

QUESTIONS PRESENTED .....	ii, iii
PARTIES LISTED .....	iii
RELATED CASES .....	iii
TABLE OF AUTHORITIES .....	iv
TABLE OF CONTENTS .....	v
OPINIONS BELOW.....	1
JURISDICTION.....	1
CONSTITUTIONAL - STATUTORY PROVISIONS INVOLVED .....	2
STATEMENT OF THE CASE .....	3
REASONS FOR GRANTING THE WRIT .....	10
CONCLUSION .....	14

IN THE SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

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

**OPINIONS BELOW**

The opinion of the United States district court appears at Appendix A to the petition and is unpublished.

The opinion of the highest state court to review the merits appears at Appendix B1 + B2 to the petition and is unpublished.

The opinion of the lower court appears at Appendix C to the petition and is unpublished.

**JURISDICTION**

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

The date on which the highest state court decided my case was December 13, 2022, Recorded December 14, 2022, Appendix B1+ B2. A petition for rehearing was not “entertained” in the same order: Appendix B1+ B2.

## **CONSTITUTIONAL - STATUTORY PROVISIONS INVOLVED**

- Article X, Section 4 of the Florida Constitution: Homestead
- Fla. Stat. §718.101, Florida Condominium Act
- Fla. Stat. §617.01011, Florida Not for Profit Corporation Act
- Amendment 1 of the U.S. Constitution-

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

- Amendment IV of the U.S. Constitution-

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

- Amendment V of the U.S. Constitution-

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation

## **STATEMENT OF CASE**

South Beach Bayside Condominium Association Building 1 (SBB1)--a non-profit--operated For Profit; they made it a hotel on the DL, sold-off their debt, stole the building's loan, received kickbacks per constant real estate dealings, lawn care by Gregory, pest control multiple monthly unit sprays which never occurred, and refrigerator purchases prior to their 2017 2<sup>nd</sup> building attempted sale, to state a few examples.

SBB1 had New to Florida peeps, who Aggressively Capitalized on SBB1 for their own profit, as a 'cash cow", in white collar crimes for decades. Petitioner was victim of their long-history of attacks, slander, false paperwork for her condo unit, which included severe shutdowns of her unit's basic amenities unlawfully done while maintenance was paid.

Many condo. units were procured by fraud when SBB1 special assessed the owners, whom they wanted their condos as well; they made-up short-term rules for themselves to NOT pay their special assessments to only flip condo. Units--they tragically with abusive psychology coerced young, single foreign owners into selling—then rented those units without licenses for profit, and later sold them for profit with licenses (still receiving kickbacks and abusing law). This racket entailing storytelling and lies made just people suffer in hardship, shame, and losses—and common elements were not fixed with any gains.

The condo. lawyer owned units & undesignated areas for profit and Petitioner alone faced his tricks and cronies in Court. Decades lawsuits & written city grievances were hushed, destroyed and, or altered to show the corrupt, connected SBB1 as the winners.

The condo's management company, a 2-generational family, also worked underhandedly cooking the books with Both (2) SBB1 Associations ALSO--to *painfully* Steal Funds, Destroy Petitioner's Condo, and Life. Courts were in-on it.

Petitioner had shower water-cut off for 18 years, forcing her-as a Cash Buyer, to bathe outside by pool shower or in extreme hot water with bucket--nothing short of a killing of an innocent, good person, as now she has nothing only due to laws not being upheld, changed, altered every step for scum. Mold from SBB1's basement was covered-up as were four (4) building sewage floods that seeped into Petitioner's unit destroying her furniture, not to mention the smell—which both were unhealthy to breathe-in and all the attacks are against the law. No Court or City Helped.

SBB1 never was held accountable. Courts went above law to rule nisi, then nunc pro tunc to avoid winning Florida Supreme Court Caselaw by Petitioner—after switching out docs, expartes with lawyers with unclean hands, and clearing their name from records—which maintain Petitioner (Pet.) had foreclosures, mortgage and didn't pay taxes. Forged Court papers made such lies “official”; Pet. was baffled for 18 years until she

saw patterns of their organized crime repeat, read about others similar plights.

Courts worked with Both (2) SBB1 Associations in Illegally Classifying Pet.'s Case as a "Legacy Mortgage"; Pet. is Not Only Citizen whose right's were murdered in their hoax, I believe endured over 50 years due to Retiring Judge D. Murphy, who Rush Evicted Me Anonymously. Then, I saw Judge P. Lopez educate young lawyers on how to use lienor case law against me, as if passing the baton. It took a village of Judges, Whole Courts, High-End Lawyers to execute this killing for my (Pet.'s) 468 sq. ft. efficiency. Might I add, they lost, but ... when there's a will there is abuse of law, I found out shockingly.

Pet.'s Double Agent Disbarred Lawyer said he had 2 more clients he brought to the slaughter (paraphrased); I actually think he had 4 or 5--which is why he is protected and not in jail. The reward. He enabled the SBB1 building sale in so many legal situations I witnessed him lie and hand-me over to the Court and MBPD while telling me to remain calm moments before he would handle it and all he did was work for them ultimately, even gaining sanctions for his behavior they had me pay for, knowing the record was omitted for almost every piece of incriminating evidence, but his *videotaped* performance at Oral Arguments (O.A.)! The fine Harvard Grad kept me from my own O.A., which shows the scheme in part, if I may interpret it for you one day. Pet. is the only one who sees her life before her in the video to

the world--while they lied in newspapers also reporting her bogus foreclosures in her bogus mortgage case, Appendix E.

Pet.'s nice life destroyed by SBBI's crimes for profit, Appendix F. I for sure was not their first. They are seasoned killers with many helpers, agencies, in connected communities.

Petitioner never had two foreclosures or a mortgage.

Courts Enabled the Fraudulent Transfer Of Many People's Homes - Lives by Nonfacts they believe after a while. Code Compliance, MBFD, MBPD, FBI, DOJ, Others Helped Themselves For Profit Kickbacks--instead of Protecting People's Rights, Laws.

SBB1 destroyed Petitioner's window frames making an opening for soot to go onto her oven and into her AC unit, so they could look inside Pet.'s 1<sup>st</sup> Floor Condo. while she was/wasn't inside, asleep, all lacked privacy, safety, crazy. They destroyed Pet.'s banana-tree outside her window, removed her mezuzah, and a lot more--for decades to force the sale of her condo.

All they had was She didn't pay taxes, mortgage and foreclosures and more. Lies by the Court is very hard to take-in. (Pet.) I Paid My Taxes and was Set-Up! Other Lawyer's Cases Attached in the authorities claim the same that Courts Lie. They used the taxes bullshit so Homestead Law wouldn't apply. Just constant Unrest, NO Peace, Terror by Mafia is More The Truth Who Paid Losers Working For The People Letting Them Down As

The Cowards, Bullies, Tyrants In Society And My Mom Said Something like It SO this is a precedent case.

Messed With the Wrong One! They have a hold on property unlawfully theirs and it's mine. Stand For Something Or Don't Stand For Anything!

SBB1's perpetual trauma in Kangaroo Courts forced Pet. to lose income, develop her life, and live like the awesome person she is. We have 20-30 more years? The Court Alone without any bank or loan agency marked my case a mortgage-foreclosure.

Respondent Lawyers in my case worked in bad faith, and as double agents in a few of my related cases, winning only by fraud; ultimately they lost this case on a related case for exhausting the time limit, but Judge P. Lopez pulled a no-no and made a boo-boo and the lawyers were paid, without making a motion (doc).

It is a racket. I learned so much about fraud, it's frightening these crazy people represent us.

Pet. learned Miami Beach Resident Won in Court for *water shut-off coercion tactic 2020*; and her Condo. Building was part of a Quadrant of Hotel Sales For Profit by Miami Beach Mayor Levine involved with SBB1, M. Gongora, A. Cervera, et. al..

Pet. With Uncle purchased condo. Cash Deal 1994. Laws existed over 20 years prior to any Legal Description Law Change 2019, the Court made prior to ruling my case. Pet. Never had a fair trial, only endangerment over and over. Many Other

Innocent Lives Affected Same. One-sided, Overreaching Courts Destroyed And Continue to Overwhelm And Are Responsible For Our Housing Crisis.

Years of extreme abuses of property and liberty rights just made them stronger during Covid to take businesses by making them pay rent during the lockdown. It's horrible they are profiting at our expense. Example: Miami Beach Mayor Gelber (Levine's successor) pretty-much ousted our Regal Movie Theater to Build His Own Across The Street; WOW!!! Regal Was Wrongly forced-out with the almost entire Famous Lincoln Road Mall, Washington Avenue, and Ocean Drive. Zara could pay and those who had outdoor seating. It is a property grab with scheme by the same players in my case. Across our bridge Downtown, Miami Owners too need a look at how property was taken, so a select few in our Courts and Government are Profiting Around The Country. Let's Go Big, Or Go Home!

As a single female forced into tragedy, homelessness, and near death situations for their profit, Pet. Call Their Unconstitutional Ways Gross, Cruel & Inhumane. Pet. Can't laugh when they call her claims Unconstitutional, after all abuse hurts, damages, destroys and they intentionally are abusing us.

Pet. was granted res judicata 2015. It was during the shift from SBB1 to the hoteliers *posing as a condo association*. The end result of a Hotel Erected Says It All, does it not? And Pet. 's condo.is dust like in a grave.

They created a fake public, judicial condo auction online to sell dust. Does that not say “Cocaine Cowboys Part 2”?

The building was an uninhabitable construction danger zone, yet Our Sad Miami Beach Preservation League signed-off on it for-profit or the Hotel Deal obviously--against the public's trust (Puts Deauville Hotel Demolishment In Perspective) with help from my Post Office.

My 40<sup>th</sup> Street Miami Beach Post Office of 20 years ousted honest employees and criminally stopped Petitioner's mail to prevent her (me) from showing in court to straighten this Mortgage-Foreclosure – Property Fraud Out.

Judge Lopez admitted to knowing SBB1 Condo Association were Developers while Judge P. Marino-Pedraza joined a fraud party on my clouded quick claim deed past 120-day, against the law to support this deal. Her husband is involved. The FSC is involved. Then Judge Blumenthal with a sketchy history too says Pet. (I) didn't serve Illegally Joined Def., when Court give IFP Free Process Service and I Emailed his double agent lawyer, but they hacked into my email (which is a problem on many cases), but I still can win because the truth in contracts and law prevail and the amount of lies they spun only proves their criminal intent, overreaching, and lies to mean a reversal for many people, a lot of money, ticket passes and respect for me, and anything else I feel communities need to see Courts Held Accountable. Prison For Them Is Fair. I'd do the electric-chair, seriously.

## **REASONS FOR GRANTING THE WRIT**

1. Court Abused Florida Homestead Law- not protecting Florida resident's primary home from levy + execution by judgment creditors, per Article X, Section 4 of the Florida Constitution. Court made-up lies + false facts on paper and Petitioner is not their only case victim.
2. Court Abused Mortgage Law- aiding Non-Existent Mortgage Scam, Profiting, While Pledging & Ruling Pet.'s title to her real property calling it a FAKE "legacy mortgage foreclosure" to a Non-Existent Lender (or themselves) as Security for a Non-Existent Loan supposedly described in a Non-Existent Promissory Note to include Slandering Petitioner in the Newspapers and Causing Decades Of TORTURE, Shame, Blame, Stunted Growth & Human Progress, Psychological, Physical and Emotional Danger With Loss Of Income, Family, Fun, Peace, Life, Achievements, Adventures, Experiments, Healthy Food, Spa Treatments, Exercise, University Degrees, Travel and Potential Success At Anything And Meeting All Petitioner's Dreams. Maybe when they kept me/Pet. Away, they had fake mortgage docs because final hearings Pet. Was not present; Judge P. Lopez thanked sleezeball disbarred lawyer for that, while explaining lien docs to younger lawyers thought sounded very mortgage-like?

### 3. Incompetent Court Dismissed Legal Description For Property

Development Profit Hustle Abusing Public's Trust- Gold Coast Real Estate School states a wrong legal description must be corrected in conveyance of title transfer and is essential, Appendix G. Pet.'s destroyed property's legal description depicts Pet.'s condo. rested road side vs. pool side—which a buyer for Miami Beach Property would love to know. Everyone rather poolside, right? Court omitted law altogether--part of their malicious tricks & schemes to gain control of not only my property. See Daytona Beach Case Annotated by Courts Gone Wild. It must be reversed and every property with that clouded defect must have their property returned, since the law has been in effect Over 100 years; properties bought with a 'legal' description a Court can't just erase over night as part of the essentials of a contract because the Deed benefits The People/Owner/Purchaser and NOT the Courts' hotel development scheme/with political business hustle friends Killing The American Dream One Deed At A Time And People (Literally Sleeping Ground).  
The answer to contract issues isn't to delete law. We were here first, for generations, and the law, Petitioner repeats, stands 100 years.

4. Court Acted In Excess Of Jurisdiction- False Judgments/Orders

Forged per Non-Existent Mortgage and 2-Foreclosures Smearing Pet. for Decades in Newspapers + on the Internet, Expartes + Mail Fraud tactics for money-moves to take Pet.'s Property unlawfully. Pet. repeats 'Forgery' to destroy, endanger, and kill-off Pet. per instilling their law for Pet.'s Miami Beach Home.

5. Court Acted Without Jurisdiction- Pet.'s Constitutional Rights in

Court Were Abused Repeatedly to favor a malicious-intentful take-over by Court; clerks played Pet.'s Life, Property, Freedom Too. They Upheld Unrecorded + Untimely Docs, Illegal Party Joining Proven By Court Transcript, Lies about Unpaid Taxes Also Proven Untrue, A Defected Deed With Bad Intent, False Financial Actions & Statements With No Proof Just Def.'s Word. Court Withdrew Def.'s From Case--  
*adding insult upon injury of crimes—as though never happened.*

6. Court Failed To Exercise Jurisdiction- Court didn't rule in favor of Pet., rather literally aided hotel property scheme; large part of organized crime to assume property without mortgage note; building was dust/destroyed at Court Public Condo Auction--Online--where Top Bidder (Court Biased Developers) would be notified by Court so they could bid higher; Court didn't uphold res judicata; Water nor

A.C. was Never Fixed; Court Threw Pet. In Street Literally During Litigation; Court Destroyed, Switched, Altered Docs; Court never addressed Pet's Safety, Health Living in Sewage Floods & Construction Zone. Court just upheld lies + torture of Pet. all made-up, while Pet couldn't speak the truth; Court forged Pet.'s judgments and mortgage loan. Courts never provided fair trial; Court OOC—out of control.

7. Florida Bar, JQC, Several Other Gov't Agencies Did Nothing- Allowed Law to be Abused, Repeatedly. No matter forgery showed, docs missing, laws exhausted for time, expartes galore, switched docs--20 years all pushed under rug with pink elephant + sink, while Pet. Paid Taxes, Showed Transcript/Flood Doc./Deed Not Mortgage, Legal Description, Treated Un-Equally, Unlawfully, Unconstitutionally.

8. Records in SCOTUS Forged- Barry Shevlin Esq. et al. Forged E-Docs.

9. The Validity of Court Rulings On Mortgage and, or Foreclosed Property By Court is drawn in question on the ground of it being repugnant to the Constitution and Laws of the United States Of America-where title and right claimed under the Constitution was ignored, dismissed, abused, destroyed, and thrown to the street like a snot-rag, meanwhile Court and Affiliates Profited From The Crimes.

## **CONCLUSION**

**The People's Businesses, Homes, Livelihoods, Freedoms are *not safe* from Courts Who Break The Law, as done in this case. It is imperative for the safety of the people – their property and preservation of law that this case be tried for our country.** And, the wrong people punished, the endangered rewarded, and the law upheld so this doesn't happen again. A **substantial federal issue involving mortgage fraud by the court** leading to unlawful property take-overs is raised. Pet.'s civil case should be tried as a federal, criminal one. How Did they Get Away For This Long? Pet. Fought for Decades. That's Not Right! The public's trust in Courts is weak. The People want this reversed.

Ilana Rigwan Ilana Rigwan, Pro Se  
Submitted This Petition on March 13, 2023

## **PROOF OF SERVICE**

There are no respondents to serve. **Petitioner's due diligence** in asking the court to reconsider their decision in withdrawing respondents from case is attached in Appendix A.

Ilana Rigwan Ilana Rigwan, Pro Se 3/13/23  
936 S.W. 1 Avenue, Miami, Florida 33131  
PromogirLLL@yahoo.com