

# SUPREME COURT OF THE UNITED STATES

Case No. 22-7483

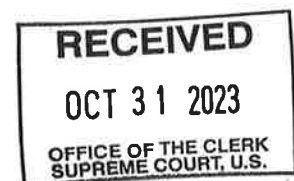
Farres Alkhayer v. Nashua-Oxford-Bay Associates, L.P., d/b/a Bay Ridge at Nashua

## Petition For Rehearing

Farres Alkhayer

18 Chadwick Cir. L

Nashua, NH. 03062



- I. I petition this august institution again, because this matter now strikes at the core of justice and my right to seek redress, since the District Court (DC) now violates this Court's appellate power and jurisdiction, as unequivocally elucidated in this Court's Rule #44 (for reference, please consult Indexes #70 and #76). An electronic case summary can be obtained by anyone by calling the DC at +1 (855) 212 - 1234.
- II. In a nation that ardently commits its sons and daughters to the crucible of conflict, expending both lives and vast resources to ethically propagate the rule of law *in foreign lands*, I am struck with sorrow that this honorable Court, stands as my solitary sanctuary. The New Hampshire Supreme Court (NHSC) has, time and again, failed to acknowledge the blatant violation of fundamental rights.
- III. I will be serving the New Hampshire (NH) Attorney General with copies of this petition and the dismissed petition since I now realise this Court might consider the state a party in this case.
- IV. I was told by lawyers that I "CANNOT" petition this court for a hearing at all (which I assume is told to all litigants, since I am told I am the only NH eviction litigant to petition this court in the history of the country). There seems to be a general consensus in the legal community in NH to deprive tenants from their Due Process rights; I'm told by a 603 Legal Aid lawyer that over 90% of eviction cases are decided -illegally- upon only an offer of proof conference, all lawyers I reached out to in Nashua said they only

represent landlords, the NHSC does not take eviction appeals as far as I could research, even though it is the only eviction appellate court in the state. It was relayed to me by lawyers that I possess no capacity whatsoever to petition this esteemed Court for a hearing—a declaration, I suspect, echoes through the chambers of all eviction litigants. I stand as the sole NH eviction litigant in the annals of this nation's history who has ventured to petition this Court. Curiously, a disconcerting consensus pervades the legal community in the Granite State, one that appears to conspire against the due process rights of tenants. As I was informed by a representative of 603 Legal Aid, over 90% of eviction cases are, in flagrant violation of the law, decided on the scant foundation of a mere offer of proof conference. Every legal practitioner I endeavored to contact in Nashua informed me of their exclusive representation of landlords. My research has yielded the unsettling revelation that the NHSC usually does not entertain appeals on eviction cases, despite its status as the sole appellate court for such matters in the state.

V. Acknowledging the inestimable value of this Court's time, I submitted a Motion to Vacate (refer to Index #37) in the District Court on 06/20/2023, which reads in part:

A. Defendant Farres Alkhayer represented himself (Pro Se) in all proceedings related to this case.

- B. It is the judge's duty to make a reasonable effort to assure that a pro se litigant understands the proceedings against him (**See United States v. Apfelbaum, 445 U.S. 115 (1980)**)
- C. The right to informed consent applies to all legal proceedings (**See State v. Cote, 127 N.H. 592 (1985)**), and is elementary and widely known as an essential legal right in both the legal field and in common knowledge.
- D. A judge must obtain informed consent from a defendant before imposing an action that would result in the defendant's loss of liberty (**See State v. Jones, 124 N.H. 483 (1984)**).
- E. This case was scheduled for a Hearing On The Merits on November 15, 2022 (**See Attachment #1**).
- F. Defendant DID NOT waive any of his rights: Contrary to the consent that was obtained from Plaintiff attorney on November 15, 2022, no consent was obtained from Defendant at that day (certainly not an informed one), it was rather imposed with extremely minimal explanation of the process (**See recording of the hearing**).
- G. Defendant was rightly expecting a Hearing On The Merits where all parties' rights would be duly observed.
- H. The Sixth Amendment right to confront witnesses includes the right to cross-examine witnesses under oath (**See United States v. Blucher 1972**).
- I. The Court entered a judgement against Defendant on November 21, 2022 (**See Attachment #3**), without a Hearing On The Merits where all parties' rights would be duly observed.

**J. The 5th and 14th Amendments to the United States Constitution and  
Article 15 of our State Constitution, all forbid such practice.**

I moved the DC partly to immediately vacate its order of November 15, 2022.

- VI. In a maelstrom of legal proceedings that defy both the law and the tenets of precedent, the District Court (DC) unleashed a disconcerting verdict. It determined, with what appears to be a dubious grasp of its own jurisdiction, that it lacked the authority to vacate a judgement while a case awaited the scrutiny of this very Court (for reference, kindly peruse Index #40).
- VII. However, the unfolding saga takes a curious twist. Following the dismissal of my case by this venerable institution, the DC promptly declared its judgement to be “final” (as can be gleaned from Index #70). The judgement had now transformed into a vessel ripe for vacatur, per the DC's peculiar standards.
- VIII. Undeterred, I resorted to submitting a Motion to Vacate on 10/18/2023 to the DC. Their retort, cloaked in perplexing and ever changing logic, was that the mere dismissal of my appeals served as sufficient grounds for a flat denial of my motion!!!. This curious line of reasoning, if one could generously call it that, found expression in Index #76, where it remains for all to contemplate.
- IX. The annals of this case are marred by a recurring pattern of plain errors that corrode the very bedrock of substantial and fundamental rights—the bedrock of Due Process and the sanctity of Equal Protection under the law. Whether these blunders were motivated by my Arabic name, my status as a non-citizen, or other clandestine and unlawful factors, the DC has chosen to

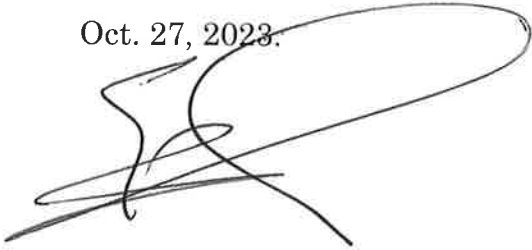
violate the law. Add to that their refusal to offer clarity on this matter, which is but one facet of this disconcerting narrative. For further elucidation, please consult Indexes #74 and #77.

Wherefore, I respectfully ask this honourable court its Oct. 2, 2023 order to deny a Writ of Certiorari for this case.

Respectfully submitted,

Farres Alkhayer

Oct. 27, 2023.



18 Chadwick Cir, L

Nashua, NH. 03062

(603) 233 - 1073

I certify that this petition is restricted to the grounds specified in this Court's Rule 44 and that it is presented in good faith and not for delay, and that I have sent Nour Al Assad and both Attorneys: Arthur Gormley and our Attorney General copies of this petition on Oct. 27, 2023.

Farres Alkhayer

Oct. 27, 2023.

18 Chadwick Cir.

Phone #: (603) 233 - 1073

Suite L, Nashua, NH. 03062

