

22-7798

No. _____

FILED
JUN 06 2023

OFFICE OF THE CLERK
SUPREME COURT, U.S.

In the
SUPREME COURT OF THE UNITED STATES

CIVIL
CIVIL

Rifat Shafique
1500 Massachusetts Avenue NW, #513
Washington, DC 20005
(on behalf of herself, and all others similarly situated)

Petitioner

vs.

EQUITY RESIDENTIAL
T/A EQUITY RESIDENTIAL MANAGEMENT, LLC
Two North Riverside Plaza, Suite 400,
Chicago, IL 60606-2624

Respondent

Regarding the matter of
Rifat Shafique v Equity Residential Management, LLC, 23 CV 204
District of Columbia Court of Appeals

PETITION FOR WRIT OF CERTIORARI

Rifat Shafique *Rifat Shafique*
1500 Massachusetts Avenue, Apartment 513
Washington, DC 20005
Shafique.rifat@gmail.com
Appellant Pro Se Sui Juris Feme Sole

RECEIVED
SUPREME COURT U.S.
CLERK'S OFFICE

2023 JUN 13 P 9:10
CW509

-- 1 --

RECEIVED

JUN 15 2023

OFFICE OF THE CLERK
SUPREME COURT, U.S.

i.

QUESTIONS PRESENTED

Questions presented are:

- 1 Whether an initial order declaring default against party who does not consent to remote hearings constitute violation of a person's natural rights, Article 1, Section 9, Article 4 Section 4, and Amendment 1 of the Constitution for the United States.**
- 2 Whether compelling proceedings under magistrates in the District of Columbia Courts without a party's consent constitute violation of the 3rd, 5th, and 14th Amendments of the Constitution.**
- 3 Whether a state court's refusal to acknowledge removal of a civil action to the federal courts, violates the 14th Amendment.**
- 4 Whether the forcing of a proceeding in a branch of a court that has no judge, but only magistrates, with no occasion for review, or discovery, violates the 3rd, 7th and 14th Amendment**
- 5 Whether the allowance of a proceeding without establishing personal or subject matter jurisdiction violates the 1st, 3rd, 5th, 7th, 9th, and 14th Amendments.**
- 6 Whether the taking and handing of a person's personal property, and erasing of her rights, under allegation of a debt, violates the Takings Clause of the 5th, and 8th Amendment.**
- 7 Whether the forfeiture of property worth far more than needed to satisfy a debt plus interests, penalties, and costs is a fine within the meaning of the 8th Amendment.**

Equity Residential identifying as “Equity Residential Management, LLC T/A 1500 Mass Apartments, agent for the Owner”, filed suit in the Superior Court of the District of Columbia, Civil Division, Landlord and Tenant Branch for Failure to Pay Rent. Upon Equity Residential filing suit, the court issued an order for Rifat Shafique to divulge her telephone number, and submit to remote hearings (using WebEx) are subjected to default being rendered against them. Rifat Shafique did not agree to this, and timely submitted a notice in response to the summons. In said notice, Shafique asserted all her rights, and indicated no rights waived. However, the court suppressed Shafique’s first response to the suit, and allowed a case to proceed under a magistrate, even though Shafique never consented to this. Even though Shafique removed the case to the United States District Court for the District of Columbia, the Landlord and Tenant Branch allowed the case to proceed by entering a default, then a judgment. Eventually, after a transfer through several magistrates, all without consent, and before the District of Columbia Circuit disposed of the removal action on appeal, the Landlord and Tenant Branch, under a magistrate, entered an “oral order” for “restitution”, docketed at least one writ from that order, and allowed eviction to proceed. There were no indications of signature from any judge on the writs. This was done on February 17, 2023. On March 7, 2023, having filed a separate action for wrongful eviction (Supt. Cr. D.C.

Case No. 23 CAB 1282), Shafique filed a lis pendens notice with the District of Columbia Recorder of Deeds regarding the matter, and notified the Landlord and Tenant Branch to that effect. Shafique also filed an application with the Landlord and Tenant Branch for the matter to be reviewed by an associate judge, for stay of eviction. Hearing was set for March 8, 2023. On March 8, 2023, the same magistrate who issued the oral order, shielded his face with a mask, and had no signs in the courtroom identifying him as such, but conducted the hearing regarding stay of eviction. Rifat Shafique was ejected that very day while in court contesting the jurisdiction of the Landlord and Tenant Branch, the standing of the magistrates to engage the matter, the standing of the local courts to engage, the standing of Equity Residential to file suit, and the standing of Equity Residential to act as “agent for the owner” and the identity of Equity Residential Management, LLC, and, 1500 Mass Apartment T/A EQR 1500 LLC. Shafique filed appeal on March 14, 2023, however the District of Columbia Court of Appeals denied her motion as being “moot”, asserting that at the moment of ejection on March 8, 2023, Shafique lost all of her rights, all of her property, including her right to appeal, right to file suit for wrongful eviction, and right to any personal belongings; this, spite of knowledge that the lis pendens was filed with the District of Columbia Recorder of Deeds, and, an appeal from the District of Columbia

wrongful eviction complaint (Supt. Court, D.C. Case No. 12 – 1282) was already filed, (Rifat Shafique V Equity Residential Management, LLC, No. 23 CV 203). The District of Columbia Court of Appeals closed the case asserting “no live action”.

ii

LIST OF PARTIES

Petitioner

Rifat Shafique is the Petitioner. She is a natural person, and a resident of the District of Columbia. Shafique's resides at 1500 Massachusetts Avenue, NW, # 513, Washington, DC 20005, and this premises is the premises in dispute. Shafique holds a lease for the property from as far back as September, 2005, but the Party of the First Part of her lease is not Equity Residential by any name called.

Respondent

Equity Residential aka Equity Operating Limited Partnership aka Equity Residential Management, LLC and over 800 other fictitious names, including 1500 Mass Apartments, and EQR 1500 Mass LLC, ***but not 1500 Massachusetts Avenue Apartments.***

Equity Residential is a corporation, registered with the Securities and Exchange Commission as “Equity Residential, a Maryland Real Estate Investment Trust, but registered in the District of Columbia using various fictitious names. It lists in this matter as “Equity Residential Management, LLC” with the address, Two North Riverside Plaza, Suite 400, Chicago, IL 60606-2624, but discloses as “Equity Operating Limited Partnership”.

Other Adverse Parties

Vanguard Group, Inc. controls 15 % of Respondent’s publicly traded stocks.

Blackrock, Inc. controls 10 % or more of Respondent’s publicly traded stocks.

Wintrust, Inc., Chicago Deferred Exchange, and other “governors” of “Equity Residential Management, LLC”, “1500 Mass Apartments”, and EQR 1500 Mass, LLC. “Equity Residential Management, LLC” claims its parent company is Equity Operation Limited Partnership, but made no mention of Equity Residential of Maryland. However SEC filings indicates the Equity Residential trades on the New York Stock Exchange with more than 20 percent of its stock being owned by at least two other companies: The Vanguard Group, Inc., and

Blackrock, Inc., with at the time of this filing, holding more than 15% of shares and more than 10% of shares respectively. Also, among the “governors” of Equity Residential Management, LLC, and or, 1500 Mass Apartments, and, or EQR 1500 Mass LLC, is an “old officer” LLC called the Chicago Deferred Exchange. That LLC is currently owned by Wintrust Financial Corporation, (WTFC). Additionally, noting Shafique’s report to the District of Columbia (listed on docket), despite the courts’ objections thereto, Shafique considers the actions of the panel of associate judges in this proceeding in the District of Columbia Court of Appeals, to be so adverse, that they appear to be silent parties in league with the respondent.

Panel of judicial officers in the District of Columbia Court of Appeals: Alikhan, Deahl, Howard, and McLeese, Associate Judges. (Addressed in the related proceedings underway: *Rifat Shafique v Equity Residential Management, LLC, D.C. Supt. Court, Case Number 23 – 1282*).

Petitioner hereby implores the court’s indulgence in this very verbose explanation of the other adverse parties, as it illustrates the problem of allowing a corporate party to artfully dodge compliance with Fed. R. Civ. P 7.1, Fed. R. App. P. 26.1, and such other local laws and rules, legislated, promulgated, and advocated by legislative bodies, courts, and conference in order to establish personal jurisdiction. Sadly, the District of Columbia Courts which have their own set of

similar rules paid keen attention to ensure that so far, save on one occasion, Equity Residential has been able to artfully dodge. On the one occasion that Equity Residential could not dodge responding in the District of Columbia Court of Appeals, Equity Residential Management, LLC supplied a “financial disclosure” statement, and not a “corporate disclosure” statement. Consequently, absent further discovery, for now, all of these parties: the fictitious “Equity Residential Management, LLC”, fictitious or fabricated “1500 Mass Apartments”, and likewise “EQR 1500 Mass, LLC”, Blackrock, Vanguard, Wintrust, Chicago Deferred Exchange, and the Panel members, Alikhan, Deahl, Howard, and McCleese can be adequately substituted for by “Equity Residential”. The District of Columbia Courts may differ with the inclusion of the panel members in this regard, however the panel, the magistrates, and the associate judges in the District of Columbia Superior Court facilitated the illegal exaction enterprise causing this matter to be, and utilized the judicial process to shield Equity Residential, et al, from providing corporate disclosure. Most assuredly then, personal jurisdiction in the District of Columbia Superior Court, and the District of Columbia Court of Appeals, have not been established. Notwithstanding, this being a government–enabled taking action dispute, jurisdiction is established to proceed in this Supreme Court.¹

¹ It is important to note here, that the Supreme Court of the United States is not the Supreme Court of the United Kingdom, where now Associate Judge Loren Alikhan clerked.

RELATED CASES

1 Principal Case from which this petition is drawn

- Rifat Shafique v Equity Residential Management, LLC, D.C. Court of Appeals, Case Number 23 CV 204.

2 Other Cases in the District of Columbia Court of Appeals

- Rifat Shafique v Equity Residential Management, LLC, D.C. Court of Appeals, Case Number 22 CV 637.
- Rifat Shafique v Equity Residential Management, LLC, D.C. Court of Appeals, Case Number 23 CV 203.

3 In the District of Columbia Superior Court

- Equity Residential Management, LLC v Rifat Shafique Superior Court of the District of Columbia, Case Number 2022 LTB 462
(Case in the local ‘trial-level’ court).
- Rifat Shafique v Equity Residential Management, LLC, Superior Court of the District of Columbia, Case Number 23 1282.

4 In the U.S. Court of Appeals for the District of Columbia Circuit

- Rifat Shafique v Equity Residential Management LLC, Number 22 – 7116.

5 In the United States District Court for the District of Columbia

- Rifat Shafique (Removal Action Petitioner) v Equity Residential Management LLC (Removal Action Respondent), Case 1:22-cv-00921 TJK.

iv

ORDERS FROM WHICH REVIEW IS SOUGHT

The Orders from which this petition is filed are all orders in the matter of Rifat Shafique v Equity Residential Management, LLC, D.C. Court of Appeals, Case Number 23 CV 204 and are as follows:

- **March 17, 2023: Order - Appellant's motion for stay denied – See Appendix 1 A.**
- **April 3, 2023: Order Denying appellant's motion for recusal (of panel) – See Appendix 1 B.**
- **April 3, 2023: Appeal Dismissed As Moot – See Appendix 1 C.**
- **May, 22, 2023: Order Denying Appellant's Petition For Rehearing En Banc – See Appendix 1 D.**

TABLE OF CONTENTS

i	QUESTIONS PRESENTED	Pg 1
ii	PARTIES	Pg 2
	Petitioner	Pg 5
	Respondent	Pg 5
	Other Adverse Parties	Pg 6
	Wintrust, Inc., Chicago Deferred Exchange, and other “governors” of “Equity Residential Management, LLC”, “1500 Mass Apartments”, and EQR 1500 Mass, LLC”.	Pg 6
	Panel of judicial officers in the District of Columbia Court of Appeals: Alikhan, Deahl, Howard, and McLeese, Associate Judges.	Pg 7
iii	RELATED CASES	Pg 9

PETITION FOR WRIT OF CERTIORARI

I	JURISDICTION	Pg 12
II	CONSTITUTIONAL AND STATUTORY PROVISIONS	Pg 13
III	RULE 29.4(c) STATEMENT	Pg 13
IV	STATEMENT OF THE CASE	Pg 13
V	REASONS FOR GRANTING THE WRIT	Pg 15
VI	CONCLUSION	Pg 20

VII VERIFICATION Pg 20

CERTIFICATE OF SERVICE and Rule 29.4 Statement Pg 20

APPENDICES

- 1 Orders from the DC Court of Appeals
- 2 Orders from the District of Columbia Superior Court
- 3 Initial Notice to the District of Columbia Superior Court
- 4 Writ executed to eject Petitioner

PETITION FOR WRIT OF CERTIORARI

Rifat Shafique seeks of this Court to review the orders of the District of Columbia Court of Appeals, which ordered this matter moot and disposed of it.

I JURISDICTION

Jurisdiction for this petition is found in Rules 10 (c) of this Supreme Court, because the court from which this petition arises, the District of Columbia Court of Appeals, (hereto hence “DCCA”) operating like a state court of the federal municipal territory, District of Columbia, has decided important decisions on federal questions in ways that conflict with relevant decisions of this court. The landmark decision of this court rendered in the matter of *Tyler v. Hennepin*

County, 598 U.S. ____ (2023) serves as the controlling authority befitting review of the decisions in this matter below.

This day of June 6, 2023, marks the 63 day since the DCCA disposed of the appeal there, and the 15th day since the DCCA denied a timely filed petition for rehearing en banc, which was filed on April 4, 2023, whereby, in accordance with Rule 13 of this Court, this petition is timely filed.

II CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

This case arises pursuant to Article 1, Section 9 of the Constitution for the United States of America, and the Bill of Rights, Amendments 1 through 14, and specifically here, Amendments 1, 5, 8, 9, and 14. Relative to subordinate codifications of law, 42 U.S.C. § 1983. Jurisdiction is founded upon 28 U.S.C. § 1253, 1254, 1257, and 2101.

III RULE 29.4(c) STATEMENT (Further Statement regarding other adverse parties found to be officers of the District of Columbia, created by acts of the Congress of the United States.)

This petition arises from an illegal exaction (takings action) executed in the District of Columbia Courts. Petitioner here declares that the proceedings below constitute the fallout punishment without trials or due process meted out by hand of judicial officers, agents, and clerks, imposing a preemption default order of default from the District of Columbia Superior Court which reads:

=====

This case is scheduled for a remote hearing on the date and time below. At least a week before the hearing, call (202) 879-4879 or email L&TDocket@dcsc.gov to provide your telephone number and email address, and the contact information you may have for any other party. On the day and time of the hearing, to participate by video, go to <https://dccourts.webex.com/meet/ctbb109>. (Please test this link prior to the date of your hearing. Call (202) 879-4879 if you need assistance.) **To participate by telephone only, call (202) 879-1148. If Plaintiff does not participate, the case may be dismissed. If Defendant does not participate, a default may be entered.**

See **Appendix 2: NOTICE OF REMOTE HEARING**.

In effect, Rifat Shafique lost her home, her property, her belongings, her rights, her vital records documents, her social standing, and her livity, because she did not wear a mask while inside her residence, and did not comply with being subject to remote hearings being conducted by a private company, WebEx, founded by two foreign nationals: Subrah S. Iyar, of India, and Min Zhu of China. But instead of admitting this is the basis for the punishment they are meting out against Shafique, the courts suppressed Shafique's timely filed response to the court's initial order

(See Appendix 3: NOTICE), subverted the silent default (noted above) under a different default entered on docket, and hashed out judgments, and orders using magistrates, under the assertion that Shafique deserves to lose everything because she “failed to appear”. All associate judges in the DCCA, and magistrates in the Superior Court of the District of Columbia who attend to this case, delivered opinions that are so adverse obtuse to the basic foundations of the Bill of Rights, it is difficult not to regard them as agents of the Respondent, itself and agent of WebEx and the harvesters that control data mining operations and mask mandates. Even after the courts opened, (with masks imposed), and Shafique attended a final hearing in the Landlord and Tenant Branch of the Civil Division of the Superior Court of the District of Columbia, even then did the courts play games, using a magistrate behind a mask (Jorge Vila) and summarily disposing of every related proceedings they found, just to “go forward with the eviction”. [Vila]. The information is also being filed with the Solicitor General.

IV **STATEMENT OF THE CASE**

There are two approaches to explaining this case. Plaintiff can submit and exorbitant explanation of the myriad of violations the local courts had to undertake in order to bring about the execution of a writ of restitution based on failure to pay

rent, that was signed by no judge whatsoever at all, under an oral order issued by a magistrate, a fourth magistrate, after the third magistrate finally conceded there was no consent to proceed under “magistrate judge”. Alternatively, at this junction, it should be sufficient to rely on the well plead controlling authority and assert that there is no significant difference between the situation in the controlling authority except for two. First, in Tyler, there seemed to be no dispute as to the debt owed, but in this matter, Shafique contests the debt even were Equity Residential able to justify standing to sue. Second, Equity Residential has no standing to sue. When combined with the fact that no judge signed the writ of restitution executed to dislodge Shafique from her home, based, as the courts claim, on a default entered 214 days prior by a magistrate who had no standing to engage, this only lays bare the other order the courts do not mention: that initial notice of February 25, 2022 wherein the District of Columbia Superior Court predetermined that persons such as Rifat Shafique who did not comply with mask mandates and remote hearings conducted by foreign-controlled assets (such as WebEx) are to be purged from their residence while the nation was in lockdown.

Now despite the DCCA panel’s assertion that Shafique must remember that she failed to appear, the respondents may try to cast cold water on the conclusion here that the only thing the District of Columbia Courts, both the DCCA and the

DCSC ever considered was this ‘failed to appear’ business, without once ever considering the merits, much less the failure of Equity Residential to establish personal jurisdiction to proceed. However, it is difficult to conclude how any court could possibly ignore the protests of a party claiming and challenging for evidence to be brought forth to justify personal jurisdiction. Instead, the courts subjugated this matter under magistrates, and then adamantly refused to “disturb”² them, knowing full well that magistrate have no power to compel corporate disclosure discovery. To add, not once did any of these magistrates, “associate judges” or ancillary administrative arm of the Government of the District of Columbia ever looked at the contracted merits. Instead, the courts simply took “Alison Graham, Matthew Moore, and Carley Becker, all of the law firm of Shulman Rogers, at their word when Graham asserts to be attorney for “Equity Residential Management, LLC TA 1500 Mass A, agent for the owner, without ever mentioning which owner. The courts then allowed magistrates lacking jurisdiction, to order the United States Marshals Service to enable Equity Residential to eject Shafique and take everything she has that they could get their hands on, using a fabricated and illegitimate writ of execution orally issued between Vila and Becker.

² Edelman.

V

REASONS FOR GRANTING THE WRIT

- 1 A writ of certiorari should be granted because the writ of restitution was **not signed by any judge.**
- 2 A writ of certiorari should issue because the associate judges of the **District of Columbia Superior Court did not review** the decisions of any magistrate.
- 3 A writ of certiorari should issue because a case transfer received magistrate orally issued the writ of restitution **while the case was in removal appeal.**
- 4 A writ of certiorari should issue because even were the writ of restitution signed by someone authorized to issue such, said writ was defective on its face, having **no means to contact the United States Marshal Service so such service can effectuate the necessary due diligence to countermand fraudulent writs.**
- 5 A writ of certiorari should issue because it **is fraudulent to utter false and perjurious statements to federal officers such as what agents and employees of Equity Residential have done, regarding the ownership of other peoples' property,** for Equity Residential was not ever Rifat Shafique's landlord.
- 6 A writ of certiorari should issue because the courts below failed to take into consideration **Rifat Shafique's lease**, and disregarded its existence altogether.

7 A writ of certiorari should issue because the Landlord and Tenant Branch of the Civil Division of the Superior Court for District of Columbia is inadequate on its face to treat either a real property dispute, or a dispute arising from a situation where **a third party interferes with the contract of lease holder by asserting as a housing provider, or landlord**, such as is the case here with Equity Residential.

8 A writ of certiorari should issue because in the light most favorable to any landlord, or purported owner of Petitioner's residence location, the courts below fail to inculcate into their deliberation, any **set off of over-payments** to resolve a fabricated writ of restitution based on, and solely on, failure to pay rent.

9 A writ of certiorari should issue because the initial order of the court threatening to impose default if Rifat Shafique refuses to surrender her private and personal telephone number, and submit to remote hearings is a bill of attainder resulting in a silent and undocumented indictment of Shafique and used as that pretext to wrongfully take from Shafique everything she has, could ever have, and may ever get here to hence and hereafter provided that the Respondent and company can get their hands on her property. This is beyond harmful; it is cruel, unusual, and amounts to involuntary servitude in perpetuity, and it should stop.

CONCLUSION

For the foregoing reasons, Petitioner Rifat Shafique requests this Court regard this petition for a writ of certiorari.

VERIFICATION

I, Rifat Shafique, affirm on this 6th day of June, 2023, and under the laws of the United States, that the foregoing statements are true.

Respectfully submitted by

Rifat Shafique
Rifat Shafique, Petitioner

CERTIFICATE OF SERVICE

and Rule 29.4 Statement

I, Rifat Shafique hereby affirm that on this 6th day of June 2023, I cause the submission of a copy of the foregoing **PETITION FOR WRIT OF CERTIORARI** to be served on Alison Graham, Shulman Rogers, 12505 Park Potomac Ave, FL 6, Potomac, MD 20854, United States, Counsel for Respondent Equity Residential, via hand delivery to CT Corporation, 1015 15th Street, NW, Suite 1000, Washington, DC 20005, and to the Office of the Solicitor General of the United States at U.S. Department of Justice, 950 Pennsylvania Avenue, NW Washington, DC 20530-0001.

Rifat Shafique
/ s / Rifat Shafique