2/1/24

No. 23-1083

IN THE SUPREME COURT OF THE UNITED STATES

SHULA WAXWOMAN
Petitioner,

VS.

THE BANK OF NEW YORK MELLON, ET AL.
Respondent(s),

ON PETITION FOR A WRIT OF CERTIORARI
FROM THE SUPREME COURT OF CONNECTICUT

PETITION FOR A WRIT OF CERTIORARI

PETITIONER

Pro se: Shula Waxwoman
P.O. Box 611
Westbrook, CT 06498
Phone: (860) 853-8859
Email: rshlomit@yahoo.com

Executed on February 1, 2024

QUESTION(S) PRESENTED

Questions presented as follows:

I. Is the lifting of the COVID-19 State Foreclosure Moratoriums and Stays Governor's Tenth Supplemental State of Emergency Proclamation of May 21, 2020, (the protections against evictions) should deprive any person of life, liberty, or property without due process of law and deny any defendants the protection of his or her day in court and the benefit of the general law.

II. Whether a judge should disregard new sufficient evidence of fraud and misrepresentation of facts to the court because of a previous Appellate Court ruling. Can a judge hear his own motion to disqualify and still apply due process and equal protection of the law?

III. Whether there is an objective basis in fact for the statement that the honorable Connecticut Appellate Court repeatedly declined to protect the constitutional rights of a "Pro Se" foreclosure defendants.

LIST OF PARTIES

All parties appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows.

1. **The Petitioner**, Pro Se Shula Waxwoman f/k/a Shlomit Ruttkamp, is a divorced woman who was the sole owner of the foreclosed property located at 510 McVeagh Road, Westbrook, CT 06498 in the custody of the court after the dismissal of February 27, 2012 which she was awarded by the court as per the divorce decree agreement transferred from the first Defendant, William J. Ruttkamp, who was the sole borrower of the mortgage on the subject property. A quitclaim deed was filed in the Westbrook Town Hall in Book Volume 302, pages 875-877 on June 16, 2010, which was the last transaction filed prior to the first Defendant, William J. Ruttkamp's bankruptcy procedures and the dismissal of February 27, 2012, for lack of subject matter jurisdiction.

2. **The Respondent** is The Bank of New York Mellon Corporation, d/b/a The Bank of New York Mellon ("BNY Mellon"), a multitrillion dollar company, a public stockholder corporation doing business under the trade name The Bank of New York Mellon, a Delaware Corporation, with its principal place of business located in the city of New York with the address of 240 Greenwich Street, New York, NY 10286. Therefore, The Bank of New York Mellon is a citizen of

Delaware with its headquarters in New York City. BNY Mellon is an investment company. They provide investment management, investment services and wealth management that help institutions and individuals succeed in markets all over the world. BNY Mellon was formed in July 2007 through the merger of The Bank of New York Company, Inc. and Mellon Financial Corporation and became The Bank of New York Mellon Corporation.

3. **The Respondent**, The Bank of New York, does not exist as of July 2007 when it was dissolved in the merger with The Mellon Financial Corporation and became The Bank of New York Mellon Corporation.

4. **The Respondent**, CIT Mortgage Loan Trust 2007-1 is not a bank. It is a fraudulent entity created by the Plaintiff's attorneys. Neither the DFS nor the Secretary of the State of Connecticut has such an entity with that name.

5. **The Respondent** is the Plaintiff's attorney for the The Bank of New York Mellon, Attorney Geraldine Ann Cheverko (Juris No. 418503), 10 Bank Street, Suite 700, White Plains, NY 10606.

6. **The Respondent**, William J. Ruttkamp, P.O. Box 343 Westbrook, CT 06498, the sole borrower of the mortgage loan, had his bankruptcy attorney file an appearance on the foreclosure case but did not file a notice of bankruptcy or any information regarding the bankruptcy procedure.

7. **The Respondent's** attorney, Timothy Lodge (Juris No. 416965), P.O. Box 1204, Glastonbury, CT 06033, is the bankruptcy attorney for the first Defendant, William J. Ruttkamp. He never disclosed the bankruptcy procedures in the foreclosure case yet put in an appearance as the Defendant's attorney.

8. **The Respondent**, HOP Energy LLC, d/b/a Valley Oil, Attorney Reveley William G. & Associates LLC (Juris No. 423840), P.O. Box 657, Vernon, CT 06066, claims an interest in the property by virtue of Judgment Lien in the original principal amount of $1,663.29, dated July 7, 2009 and recorded on July 23, 2009 in Volume 297 at Page 327 of the Westbrook Land Records which was defaulted and also discarded in the bankruptcy procedures of the first Defendant, William J. Ruttkamp in 2011, and in 2015 in the bankruptcy of the Petitioner, Shula Waxwoman f/k/a Shlomit Ruttkamp.

All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

N/A

RELATED CASES

CASE NAMES AND DOCKET NUMBERS OF ALL PENDING APPEALS WHICH ARISE FROM SUBSTANTIALLY THE SAME CONTROVERSY AS THIS OR INVOLVE CLOSELY RELATED ISSUES

1. *The Bank of New York Mellon vs. William Ruttkamp, et al.* Case No. SC 230063 filed on September 27, 2023, denied on November 7, 2023

2. *The Bank of New York Mellon vs. William Ruttkamp, et al.* Case No. SC 220391 filed on June 1, 2023, denied on September 19, 2023

3. *The Bank of New York Mellon vs. William Ruttkamp, et al.* Case No. AC 45948 filed on October 28, 2022, dismissed on April 25, 2023

4. *The Bank of New York Mellon vs. William Ruttkamp, et al.* Case No. MMX-CV10-6001915-S filed on March 9, 2010, was evicted October 14, 2022, without setting the new law date violating the Defendant-Appellant's Fourteenth Amendment to due process of law.

TABLE OF CONTENTS

TABLE OF CONTENTS—Continued

PAGE

TABLE OF CONTENTS– Continued

INDEX TO APPENDICES

TABLE OF CONTENTS–Continued

INDEX TO APPENDICES–Continued

TABLE OF CONTENTS–Continued

INDEX TO APPENDICES–Continued

TABLE OF AUTHORITIES CITED

TABLE OF AUTHORITIES CITED-CONTINUED

TABLE OF AUTHORITIES CITED-CONTINUED

CASES **PAGE**

TABLE OF AUTHORITIES CITED-CONTINUED

TABLE OF AUTHORITIES CITED-CONTINUED

TABLE OF AUTHORITIES CITED-CONTINUED

TABLE OF AUTHORITIES CITED-CONTINUED

TABLE OF AUTHORITIES CITED-CONTINUED

TABLE OF AUTHORITIES CITED-CONTINUED

TABLE OF AUTHORITIES CITED-CONTINUED

CASES **PAGE**

STATUTES AND RULES OF PRACTICE

PAGE

TABLE OF AUTHORITIES CITED-CONTINUED

STATUTES AND RULES OF PRACTICE-CONTINUED

TABLE OF AUTHORITIES CITED-CONTINUED

STATUTES AND RULES OF PRACTICE-CONTINUED

OTHER

TABLE OF AUTHORITIES CITED-CONTINUED

STATUTES AND RULES OF PRACTICE-CONTINUED

OTHER-CONTINUED

IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner, Pro Se Shula Waxwoman, respectfully prays that a writ of certiorari issue to review the judgment below be granted.

The dispositive issue in this appeal is whether pro se litigants are frequently mistreated in civil litigation and denied a full and fair opportunity to vindicate their claims to a federal appellate court. This is a case that presents a question of statutory interpretation, thereby invoking plenary review. State v. Riley, 190 Conn. App. 1,8, 209 A.3d 646, (2019). Numerous legal commentators have expressed similar concerns, yet the belief that pro se litigants are underserved by the legal community is a widespread fact, and the full extent of the challenges they face in court is still not understood and goes against the United States Constitution's **First Amendment's** right to petition the government for a redress of grievances, and the United States Constitution's **14th Amendment's** right to due process and equal protection of the laws to successfully navigate the legal process.

While a pro se litigant is likely to have important merits at the trial court level, even through dignified hearing process for pro se litigants provided on the condition or understanding that a pro se litigant received due process of the law, the outcomes of the

litigation process does not create the same result as to one attorney at law, law firm, or similar court cases, and regardless how severe the situation it is the likelihood that the federal appellate court will dismiss the case and deprive the party of the United States Constitution's **First Amendment's** right to petition the government for a redress of grievances, and the United States Constitution's **14th Amendment's** right to due process and equal protection of the laws to successfully navigate the legal process.

The Pro Se Petitioner Shula Waxwoman respectfully requests that the United States Supreme Court hear this case as the case has national significance and has precedential value for the reason that it is well established that a trial court is without power to render a judgment if it lacks jurisdiction and that everything done under the judicial process of courts not having jurisdiction, is, "**ipso facto, void**." Martin v. Hunter's Lessee, 14 U.S. (1 Wheat.) 304, 364 (1816); Marshall v. Clark, 170 Conn. 199, 205, 365 A.2d 1202 (1976); Clover v. Urban, 108 Conn. 13, 17, 142 A.2d 389 (1928). The Pro Se Petitioner Shula Waxwoman respectfully prays that a writ of certiorari issue to review the judgment below be granted.

---------- ♦ ----------

OPINIONS BELOW

For cases from **state courts**:

The opinion of the highest state court of Connecticut Supreme Court to review the merits appears at **App. 4** (docket no. **PSC 230063**), opinion from reconsideration En'Banc filed September 27, 2023, was denied on November 7, 2023; from case (docket no. **PSC 220391**) **App. 8** denied petition for certification to appeal from the appellate court (**AC 45948**). filed on June 1, 2023, and denied on September 19, 2023, and it is unpublished.

The opinion of the highest court of Connecticut Appellate Court to review the merits appears at **App. 27, 29, 31,** and **33** a motion for supplemental memorandum to sua sponte dismiss the appeal filed October 28, 2022 (case docket no. **AC 45948**) dismiss was granted, April 25, 2023.

The opinion of the Connecticut Appellate Court (docket no. **AC 45948)** to appeal a decision of a trial court appears at **App. 34, 36,** and **38**, Order entry no. 276.10, 277.50 denied October 11, 2022, and order entry no. 280.10 denied October 13, 2022, motion for stay of ejectment, motion to disqualify a judge filed October 5, 2022. and motion for clarification-court order October 12, 2022.

The opinion of a Connecticut trial court (Docket no. **MMXCV-10-6001915-S)** FROM motion for stay of

ejectment, motion to disqualify a judge filed October 5, 2022. and motion for clarification-court order October 12, 2022. appears at **App. 40, 48, and 60**

JURISDICTION

For cases from **federal courts**:

The jurisdiction of this Court is invoked under **28 U.S.C. § 1254(1).** The jurisdiction of this Court is also invoked under diversity jurisdiction pursuant to **28 U.S.C. § 1332** because this action is between citizens of different states and the amount in controversy exceeds the sum or value of $75,000.00, exclusive of interest, costs and attorney fees, and the Plaintiff-Respondent, The Bank of New York Mellon, is not registered with the Secretary of State of Connecticut to conduct business or to sue and be sued by law and this foreclosure action is four and a half years past the Connecticut civil statute of limitations which is six and a half years for a foreclosure action.

The jurisdiction of this Court is invoked under **28 U.S.C. §§ 1331, 1343** and invoked under racketeering activities pursuant to **18 U.S.C. §1961, et seq. 18 U.S.C. § 1341** (Mail Fraud Affecting a Financial Institution) and **18 U.S.C. § 1343** (Wire Fraud Affecting a Financial Institution).

The jurisdiction of this court is invoked under **28 U.S.C. § 1257(a).**

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. This appeal will challenge the constitutionality of the statute of state and federal constitution.

A. **The First Amendment** constitution right to petition the government for a redress of grievances.

B. **The 14th Amendment's** constitution right to due process and equal protection of the laws. the **14th Amendment's** ratification. to the United States Constitution provides in relevant part: "No state shall... deprive any person of... property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

C. **18 U.S.C. 1961, et seq.**

(the "RICO Statute").

D. **18 U.S.C. § 1341**

(Mail Fraud Affecting a Financial Institution).

E. **18 U.S.C. § 1343**

(Wire Fraud Affecting a Financial Institution).

---------- ♦ ----------

STATEMENT OF THE CASE

This foreclosure procedure commenced on February 19, 2010, when the Plaintiff-Respondent, The Bank of New York Mellon, filed its first complaint under the trade name, **The Bank of New York Mellon**, and not under the corporation's registered name, **The Bank of New York Mellon Corporation.** The foreclosure was dismissed for lack of subject matter jurisdiction on February 27, 2012, with a three-page memorandum of decision (Docket Entry No. 119.10 **App. 69,** Judge Morgan's order). The Plaintiff-Respondent, The Bank of New York Mellon, did not appeal Judge Morgan's decision within the 20 days of court ruling of dismissing the underlying suit although the law contains no four-month grace period for a dismissed case that lacks subject matter jurisdiction (see Levinson v. Lawrence, 162 Conn. App. 548, 565-66, 133 A.3d 468 (2016)). The Plaintiff-Respondent, The Bank of New York Mellon, filed a motion to open judgment claiming they have made a mistake in the motion for summary judgment, and a court that lack subject matter jurisdiction open the judgment of dismissal. Throughout 13 years of litigation, the Plaintiff-Respondent, The Bank of New York Mellon, is committing fraud, providing misleading information to the court, and violating the rules of law and the books of law and the oath upon which they swore to uphold and the trial court abused its discretion for a favor of the Plaintiff-Respondent, The Bank of New York Mellon, and chose to turn a blind eye to overwhelming evidence provided to the court by the Petitioner, Shula

Waxwoman. The Petitioner filed numerous appeals and numerous certifications for review to the Connecticut Supreme Court which unjustly, without regard to the evidence and exhibits and the opportunity to be heard on the record and for discovery of evidence, was denied and dismissed. On the hearings of October 5, 2023, the Petitioner filed a motion for stay of ejectment, and a motion to disqualify a judge that attempting to enforce an action that is not judicial and performs as an administrative, or executive act when the court lack subject matter jurisdiction. Huminski v. Corsones, 396 F.3d 53, 75 (2d Cir. 2005). All acts performed under it and all claims flowing out of it are void. The parties attempting to enforce it may be responsible as trespassers. 1 A. Freeman, Judgments (5th Ed. 1925) § 322. The Plaintiff-Respondent's lack of standards and the court's lack of subject matter jurisdiction is extremely obvious that the Plaintiff-Respondent's could have not exhaust successful summary judgment. The two times the Plaintiff-Respondents filed motion for summary judgment the court at docket entry no. 119.00 denied the motion and dismisses the action (Docket Entry No. 119.10) and the second time at docket entry no 157.00 denied without prejudice as to the Petitioner, Shula Waxwoman f/k/a Shlomit Ruttkamp (Docket Entry No. 157.10).

The Appellate Court should not have deprived the Petitioner of her **First** and **14th Amendment,** Due Process Clause of the **14th Amendment** to the United States Constitution, to aggrieve the judge's rulings and to have the record straight that the Petitioner was evicted, the Judge of the trial court expelled the

Petitioner, Shula Waxwoman from her property without a valid law date, for the owner of equity of redemption, nor Due Process after the lifting of the COVID-19 State Foreclosure Moratoriums and Stays Governor's Tenth Supplemental State of Emergency Proclamation of May 21, 2020, (the protections against evictions). The Covid-19 State Foreclosure Moratoriums and Stays related housing actions of 2020 in response to the Covid-19 crisis was ordered; all judgments of strict foreclosure entered in matters with law days prior to September 9, 2020, were opened by the court for the sole purpose of extending the Law Day in those matters for the owner of equity of redemption. The last valid law day on record in this case was January 6, 2020 (Order docket entry no. 215.20, November 25, 2019) on which the Petitioner filed an appeal. When the appeal was dismissed, the COVID-19 State Foreclosure Moratoriums and Stays Governor's Tenth Supplemental State of Emergency Proclamation of May 21, 2020, (the protections against evictions) began and the foreclosure action was dormant through May 15, 2022 when the Plaintiff filed the motion Proposed Execution of Ejectment,(docket entry no. 267.00).

The defendant filed objection to the Plaintiff specifying that there is no valid law day from the moment that the court opened all judgments of strict foreclosure and any law day due to the COVID-19 State Foreclosure Moratoriums and Stays Governor's Tenth Supplemental State of Emergency Proclamation of May 21, 2020, (the protections against evictions). My objection motion did not receive due process. A clerk

officer of the Superior Court ordered that no action necessary and denied me due process. (Objection Motion docket entry no. 268.00 and order docket entry no. 268.10) Immediately after that, the Plaintiff filed a motion Execution of Ejectment and Judge Domnarski granted the Plaintiff to evict me from my home without a valid law day.

The Petitioner filed motion notice of intent to appeal filed on October 12, 2022 (Entry no. 279.00), and did file an appeal within the 20 days permitted by the Connecticut Appellate Court rules filed on October 28, 2022 (docket no. **AC 45948);** unfortunately, the Petitioner was evicted on October 14, 2022 and did not have the opportunity to appeal because the Appellate Court filed a motion for supplemental memorandum to sua sponte and dismiss the appeal for lack of final judgment, leaving the defendant homeless stranded with no recourse. without due process nor equal protection of the law, as all processes in the Connecticut Superior Court are over.

My motion notice of intent to appeal and my appeal should have prevented the Superior Court from evicting the Petitioner, Shula Waxwoman without a valid law date

The Petitioner, Shula Waxwoman, should have the constitutional right to appeal eviction, and should not have deprived of her **The First Amendment** constitution right to petition the government for a redress of grievances, and **The 14th Amendment's** constitutional right to due process and equal protection

of the laws. the **14th Amendment's** ratification. to the United States Constitution provides in relevant part: "No state shall... deprive any person of... property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the law.

The petitioner was deprived of both the state and the federal constitutional rights to protect her property.

REASONS FOR GRANTING THE PETITION

This case involved a constitutional and statutory provisions of state and federal constitutions' right to address jurisdictional issues in any order court may choose (Sinochem Int'l Co v. Malaysia Int'l Shipping Corp., 549 U.S. 422, 431 (2007) and have authority to resolve the standing issue of lacking subject matter jurisdiction, an exceptionally important guidelines-error question, splitting with other courts of appeals cases that only this court can resolve the acknowledged split.

The Petitioner urges this court to resolve a difficult question in a case that is otherwise over and on the other hand, stresses that there is no final judgment for purpose of appeal living the homeowner deprived of the **First Amendment** constitution right to petition the government for a redress of grievances, and the **14th Amendment's** constitution right to due process and equal protection of the laws to successfully navigate the legal process. And at the same time the homeowner was evicted from her home, but yet the

litigations at the trial court are over, a consequence in which resulted in suffering a severe and damaging lack of basic material and cultural benefits statutorily prescribed procedure summary process and the full extent of the challenges that pro se litigants face in court and is still not understood and goes against the United States Constitution's **First Amendment** right to petition the government for a redress of grievances, and the United States Constitution's **14th Amendment's** right to due process and equal protection of the law to successfully navigate the legal process when a fair trial in a tribunal is a basic requirement of due process. Caperton v. A.T. Massey Coal Co., 556 U.S. 868, 129 S. Ct, 2252, 2259, 173 L. Ed. 2d 1208 (2009).

This case presents a nationally important question on which courts are indecisive and were divided in their decision when it comes to subject matter jurisdiction. (See America's Wholesale Lender v. Pagano, 87 Conn. App. 474, 866 A.2d 698 (2005), America's Wholesale Lender v. Silberstein, 87 Conn. App. 485, 866 A.2d 695 (2005), and Isaac v. Mount Sinai Hospital, 3 Conn. App. 598, 490 A.2d 1024, cert. denied, 196 Conn. 807, 494 A.2d 904 (1985)),

The lifting of the COVID-19 State Foreclosure Moratoriums and Stays Governor's Tenth Supplemental State of Emergency Proclamation of May 21, 2020, (the protections against evictions) is an important issue and many of the public was affected by it one way or another; it is important issue that should

not deprive any person of life, liberty, or property without due process of law and deny any defendants the protection of his or hers day in court and the benefit of the general law.

The United States Supreme Court shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States which strikes at the very core of judicial integrity and tends to undermine public confidence in the established judiciary. (See Felix v. Hall-Brooke Sanitarium, 140 Conn. 496, 501, 101 A.2d 500 (1953). In Caperton v. A. T. Massey Coal Co., 556 U.S. 868 (2009). The United States Supreme Court have subject matter jurisdiction to review the petition for writ of certiorari.

---------- ♦ ----------

I. Is the lifting of the COVID-19 State Foreclosure Moratoriums and Stays Governor's Tenth Supplemental State of Emergency Proclamation of May 21, 2020, (the protections against evictions) should deprive any person of life, liberty, or property without due process of law and deny any defendants the protection of his or hers day in court and the benefit of the general law.

The lifting of the COVID-19 State Foreclosure Moratoriums and Stays Governor's Tenth Supplemental State of Emergency Proclamation of May

21, 2020, (the protections against evictions) was important to the public, as the trial court system is struggling to recover from the devastating coronavirus crisis shutdown having effect on the state court system, and short of a vaccine that returns life to normal, the public was not prepared to predict that the court overwhelmed administrators work to reconstruct the post-pandemic wreckage will deprive a Pro Se homeowner of the **First Amendment's** constitutional right to petition the government for a redress of grievances, and the **14th Amendment's** constitutional right to due process and equal protection of the laws with foreclosure actions.

The issue is deprivation of the full process of the law by a court system that is struggling to recover a devastating coronavirus crisis shutdown and cutting corners with the legal responsibilities that goes along with the protections against evictions which should not by a good reason to deprive any person of life, liberty, or property without due process of law and deny any defendants the protection of his or her day in court and the benefit of the general law.

The court has often recognized that the law days established in a foreclosure judgment are ineffective while an appeal is pending. (Zinman v. Maislen, 89 Conn. 413, 94 A. 285 (1915). The seasonable filing of a notice of appeal, operates as a stay of further proceedings under a judgment of foreclosure, Practice Book 340 recognizes the necessity for setting new law days or other dates for performance of acts specified in a judgment that is affirmed on appeal. This defendant was evicted immediately after the suspension of the

COVID-19 State Foreclosure Moratoriums and Stays Governor's Tenth Supplemental State of Emergency Proclamation of May 21, 2020, (the protections against evictions) without a valid Law Day in a court that lacks jurisdiction and the defendant has no right to appeal the judgment due to a lack of final judgment when it is well established that a court is without power to render a judgment if it lacks jurisdiction and that everything done under the judicial process of courts not having jurisdiction, is, "**ipso facto, void**." Martin v. Hunter's Lessee, 14 U.S. (1 Wheat.) 304, 364 (1816); Marshall v. Clark, 170 Conn. 199, 205, 365 A.2d 1202 (1976); Clover v. Urban, 108 Conn. 13, 17, 142 A.2d 389 (1928).

The Appellate Court's determinations to dismiss the appeal are clearly erroneous, and as the trial court order precluded final judgment from bringing any further motions or actions as the defendant had been evicted from her home, the United States Supreme Court has the duty to the public to apply original jurisdiction and have the authority to review the decisions of lower court under the four-part test for justiciability established in State v. Nardini, 187 Conn. 109, 445 A.2d 304 (1982). Eviction without remand from the Appellate Court in which law days should be assigned to the parties to the action as provided by Connecticut Practice Book § 23-17 in a court that lacks subject matter jurisdiction and a judge that responsible for trespassing 1 A. Freeman, Judgments (5th Ed. 1925) § 322. See Koennicke v. Maiorano 43 Conn. App. 1 - Conn: Appellate Court (1996) whether it presents an issue of first impression or constitutes an appealable

final judgment, a writ of certiorari issue to review the judgment below should be granted.

II. **Whether a judge should disregard new sufficient evidence of fraud and misrepresentation of facts to the court because of a previous Appellate Court ruling. Can a judge hear his own motion to disqualify and still apply due process and equal protection of the law?**

This is an accepted principle of established law. Beyond the rules of practice, and the case presents a question of statutory interpretation, thereby invoking plenary review. State v. Riley, 190 Conn. App. 1,8, 209 A.3d 646, (2019). The classification of a judge's actions as judicial or nonjudicial is a question of law review is plenary. Crooks v. Maynard, 913 F.2d 699, 700 (9th Cir. 1990); Forrester v. White, 484 U.S. 219 (1988). The determination of whether the court has subject matter jurisdiction raises a question of law. Accordingly, the standard of review is plenary. JPMorgan Chase Bank Nat. Ass'n v. Simoulidis, 161 Conn. App. 133, 142, 126 A.3d 1098 (2015); also, Ramos v. Vernon, 254 Conn.799, 808, 761 A.2d 705 (2000). A judge is not protected under the doctrine of judicial immunity if the action is not judicial and performs as an administrative, or executive act when the court lack subject matter jurisdiction. Huminski v. Corsones, 396 F.3d 53, 75 (2d Cir. 2005).

All acts performed under it and all claims flowing out of it are void. The parties attempting to enforce it may be responsible as trespassers. 1 A. Freeman, Judgments (5th Ed. 1925) § 322. A void judgment "is without life and will be ignored everywhere". Southern New England Telephone Co. v. Public Utilities Commission, 165 Conn. 114, 123, 328 A.2d 695 (1973); See 46 Am. Jur.2d, Judgments § 31. Also, Koennicke v. Maiorano 43 Conn. App. 1 - Conn: Appellate Court (1996). The appellate court must invoke its authority for the interests of justice to review "plain error" not properly preserved in the trial court.

It is an acknowledged principle of ... every court in the world, that not only the decisions, but everything done under the judicial process of courts, not having jurisdiction, are, "**ipso facto, void**." "When ... the court saw that it had no jurisdiction, (See Dismissal of February 27, 2012, Order Entry No. 119.10 **App. 69**), then, without reference to its other rulings, it was its duty to go no farther in the consideration of the case, and to dismiss it." Wheeler v. New York, N.H. & H.R. Co., 71 Conn. 270, 282, 41 A. 808, (1900) cited with approval in Chzrislonik v. New York, N.H. & H.R. Co., 101 Conn. 356, 358, 125 A. 874. (1924). This is an accepted principle of established law. Beyond the rules of practice, jurisdiction is the power in a court to hear and determine the cause of action presented to it. LaReau v. Reincke, 158 Conn. 486, 492, 264 A.2d 576 (1969); Brown v. Cato, 147 Conn. 418, 422, 162 A.2d 175 (1960); Samson v. Bergin, 138 Conn. 306, 309, 84 A.2d 273 (1951). It is well established that a court is without power to render a judgment if it lacks

jurisdiction and that everything done under the judicial process of courts not having jurisdiction, is, "**ipso facto, void**." Martin v. Hunter's Lessee, 14 U.S. (1 Wheat.) 304, 364 (1816); Marshall v. Clark, 170 Conn. 199, 205, 365 A.2d 1202 (1976); Clover v. Urban, 108 Conn. 13, 17, 142 A.2d 389 (1928).

The Plaintiff filed the motion to open a judgment of a dismissal on a false claim to execute foreclosure actions that could not have been executed without the false statement. The Plaintiff and the court worked in close cooperative actions to induce the defendant into her injury. The Plaintiff and the court's immoral, unethical, oppressive behavior, and conduct, by not complying with the Connecticut General Statutes § 52–123 or following the primary fact of America's Wholesale Lender v. Pagano, 87 Conn. App. 474, 866 A.2d 698 (2005), and the refusal to demand plaintiff to comply with Connecticut General Statutes §§ 33-920 and 35-1, which is substantially injurious to customers resulting in an ascertainable abuse of process, the misuse of process regularly issued to accomplish an unlawful ulterior purpose outside of the normal contemplation of private litigation without legal justification. Norse Systems, Inc. v. Tingley Systems, Inc., 49 Conn. App. 582, 601-02, 715 A.2d 807 (1998). Because the tort arises out of the accomplishment of a result that could not be achieved by the proper and successful use of process. QSP, Inc. v. The Aetna Casualty & Surety Co., supra, 256 Conn. 382, 360-61 n. 16. (2001). Accordance to Connecticut General Statute §§ 52-212a and 17-4 of the Practice Books, the kind of mistake that would justify the opening of a stipulated

or final judgment under § 52-212a must be mutual; a unilateral mistake will not be sufficient to open the judgment. Magowan v. Magowan. 73 Conn. App. 733, 741, n. 11, 812 A.2d 30 (2002).

The Plaintiff, The Bank of New York Mellon, is a corporation registered company, according to Connecticut General Statute § 52-123 and America's Wholesale Lender v. Pagano, 87 Conn. App. 474, 866 A.2d 698 (2005). (and See Dismissal of February 27, 2012, Order Entry No. 119.10 **App. 69**), The Bank of New York Mellon is a fictitious trade name of an entity doing business as The Bank of New York Mellon Corporation.

The plaintiff did not have standing to invoke the trial court's jurisdiction in a foreclosure proceeding once it affirmed that the Plaintiff lacks standing, and therefore the court lacks subject matter jurisdiction over the subject claim. General Statutes § 52-123 provides:

"No writ, pleading, judgment or any kind of proceeding in court or course of justice shall be abated, suspended, set aside or reversed for any kind of circumstantial errors, mistakes or defects, if the person and the cause may be rightly understood and intended by the court."

The Plaintiff's and the court's conduct have been so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious and utterly intolerable in a

civilized community. Margita v. Diamond Mortgage Corp., 406 N.W.2d 268, 272 (Mich. 1987); also, Turman v. Central Billing Bureau, 568 P.2d 1382 (Ore., 1977); Sherman v. Field Clinic, 392 N.E.2d 154 (Ill. App. 1979); Moore v. Savage, 359 S.W.2d 95 (Tex. Civ. App., 1962); Vargas v. Ruggiero, 17 Cal. Rptr. 568 (1961); Bowden v. Spiegel, 216 P.2d 571 (Cal. App., 1950); Delta Finance Co. v. Ganakas, 91 S.E.2d 383 (Ga. Ct. App., 1956)). The Plaintiff was always aware which entity they were representing (**App. 73** at **App. 75 ¶ 8**) as the court understands there is only one Bank of New York Mellon which is a corporation registered entity (**App. 94**, **100**, **117**, and **129**).

The Plaintiff's and the court's action were unnecessarily unlawful, and it offends public policy as it been established by statutes, the common law, and causes substantial injury to consumers all over the state of Connecticut. (Hartford Electric Supply Co. v. Allen-Bradley Co., 736 A.2d 842-43 (Conn. 1999), and in consequences of that, the defendant endured financial loss, depression, and anxiety. I lost many sleepless nights, and through the distress of all of it I developed fibromyalgia, a disease that is caused by excessive stress in someone's life. I have been evicted from the home I had been living in for 26 years that rightfully belongs to me, (**See App. 134,** Quit-Claim Deed Transfer) with no valid Law Day as required by law. (Farmers Mechanics Savings Bank v. Sullivan, 216 Conn. 341, 347-48, 579 A.2d 1054 (1990), as the

Law Day on file has passed through the last appeal (Zinman v. Maislen, 89 Conn. 413, 94 A. 285 (1915). I have been homeless for a month and a half, living in my car until a vacant bed became available in the Middletown Eddy Shelter where I reside. I endure more stress and anxiety from attorneys and court judges who intentionally and viciously inflict it upon me (Angiolillo v. Buckmiller et al., 102 Conn. App. 697, 706 (2007), knowing that they are trespassing in a court that lacks subject matter jurisdiction to take any further action to rule on the subject matter. (1 A. Freeman, Judgments (5th Ed. 1925) § 322. also (Koennicke v. Maiorano 43 Conn. App. 1 – Conn. Appellate Court 1996). "Subject Matter Jurisdiction requirement may not be waived by any party, and may be raised by a party, or by the court sua sponte, at any stage of the proceedings, including on appeal." (Internal quotation marks omitted.) Lewis v. Planning & Zoning Commission, 275 Conn. 383, 390, 880 A.2d 865 (2005). A claim that the court lacks jurisdiction over the subject matter cannot be waived; Practice Book § 10-33; and must be addressed when brought to the court's attention. (Manifold v. Ragaglia, 94 Conn. App. 103, 116, 891 A.2d 106 (2006).

The Plaintiff instituted the action using a trade name or assumed business name of The Bank of New York Mellon which is not a legal entity, and which does not have a separate legal existence; an action brought under trade name cannot confer jurisdiction. Due to

lack of subject matter jurisdiction, dismissal is required as in America's Wholesale Lender v. Silberstein, 87 Conn. App. 485. 866 A.2d 695 (2005). In addition to America's Wholesale Lender v Pagano, 87 Conn. App. 474, 866 A.2d 698 (2005), and as Judge Morgan specified in her order of Dismissal of February 27, 2012, **App. 69** The names of the plaintiff in the original complaint never existed because the plaintiff had no standing to bring an action. No action in this case was ever commenced as it was "**void ab initio**." "A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid." Old Wayne Mut. Life Ass'n, v. McDonough, 204 U.S. 8, 27 S. Ct. 236 (1907); Elliott v. Lessee of Piersol, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828) (emphasis added). A judgment that was based on fraud on the courts should be vacated (Cox v. Burke, 706 So. 2d 43, 47 (Fla. 5th DCA 1998)). A judge who renders any order with the knowledge that the court established that it had lacked jurisdiction and attempting to enforce it may be responsible as trespassers. 1A. Freeman, Judgments (5th Ed. 1925) § 322. A void judgment is without life and will be ignored everywhere; Southern New England Telephone Co. v. Public Utilities Commission, 165 Conn. 114, 123, 328 A.2d 695 (1973).

A court is without power to render a judgment if it lacks jurisdiction of the parties or of the subject matter, one or both. In such cases, the judgment is void, has no authority and may be impeached.

O'Leary v. Waterbury Title Co., 117 Conn. 39, 43, 166 A. 673 (1933); Krueger v. Krueger, 179 Conn. 488, 493, 427 A.2d 400 (1980).

The Due Process Clause incorporates the common-law rule that a judge must recuse himself when he has a direct, personal, substantial, pecuniary interest in a case. This rule reflects the maxim that no man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, improbably, corrupt his integrity. The United States Supreme Court has identified additional instances which, as an objective matter, require recusal. These are circumstances in which experience teaches that the probability of actual bias on the part of the judge or decision maker is too high to be constitutionally tolerable, which strikes at the very core of judicial integrity and tends to undermine public confidence in the established judiciary. (Felix v. Hall-Brooke Sanitarium, 140 Conn. 496, 501, 101 A.2d 500 (1953). In Caperton v. A. T. Massey Coal Co., 556 U.S. 868 (2009), the United States Supreme Court held that the Due Process Clause of the Fourteenth Amendment requires judges to recuse themselves not only when actual bias has been demonstrated or when the judge has an economic interest in the outcome of the case but also when "extreme facts" create a "probability of bias". In this case, the defendant made multiple disqualification requests and filed multiple complaints to the Connecticut Bar Association and filed motions to

disqualify Judge Edward S. Domnarski which the judge denied himself, and refused to recuse himself despite multi-layered and over-shadowing appearance of bias that made impartiality improbable and undermined due process, such that recusal was obligatory to preserve public confidence in the judiciary. (Tumey v. Ohio, 273 U. S. 510 (1927) is a case where the United States Supreme Court held that "the Due Process Clause incorporated the common-law rule that a judge must recuse himself when he has cases in which the judge "has been the target of personal abuse or criticism from the party before him".

The Defendant did not slander the judge but filed two grievance complaints to the Connecticut Bar Association against the judge and has repeatedly alleged and pled in hearings to recuse himself from the bench and claimed that he cooperated in the fraud on the court and contention that the judge was biased. Defendant's request was entirely justified like the circumstances presented by Cameron v. Cameron, 187 Conn. 163, 168-71, 444 A.2d 915 (1982), the court has jurisdictional issues and cannot as a matter of jurisdictional law to foreclose the issue of subject matter jurisdiction, final judgment, and adjudication of constitutional infirmity present personal injury: Weil v. Miller, 185 Conn. 495, 501, 441 A.2d 142 (1981); Hardware Mutual Casualty Co. v. Premo, 153 Conn. 465, 471, 217 A.2D 698 (1966).

According to the dismissal of February 27, 2012, and America's Wholesale Lender v. Pagano, 87 Conn. App. 474, 866 A.2d 698 (2005), Once the case was dismissed for a lack of subject matter jurisdiction, the trial court had no jurisdiction to take further action in the case.

(Lusas v. St. Patrick's Roman Catholic Church Corp., 123 Conn. 166, 193 A. 204 (1937).

The Plaintiff corruptly influenced, obstructed, impeded, and endeavored to influence, obstruct, or impede the due administration of justice, and is in violation of the statute "**res ipsa loquitur**," and has harmed the defendant, and the injury was caused by the violation of. 18 U.S.C § 1961 et seq. As relevant to this action the Plaintiff's attorneys and the court are in violation of 18 U.S.C. § 1341 (Mail Fraud Affecting Connecticut Citizens) and 18 U.S.C § 1343 (Wire Fraud Affecting Connecticut Citizens). The Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) authorizes the United States to recover civil penalties for violations of, or conspiracies to violate, the two provisions of Title 18 of the United States Code: The Fraud Injunction Statute authorizes the United States to commence a civil action to enjoin any "person" who is "violating or about to violate" (among other criminal Statutes), 18 U.S.C. §§ 1341 and 1343, from committing further violations of those Statutes 18 U.S.C. § 1345(a)(I)(B). Violation of the Federal RICO Law 18 U.S.C. 1961 et seq., and Civil Conspiracy of

General Statutes § 53–395 presents two significant issues, namely: (1) whether a court, in determining if sufficient evidence exists to sustain a conviction of racketeering in violation of General Statutes § 53–395 (c) State v. Bush, 156 Conn. App. 256, 258–59, 112 A.3d 834 (2015). Pursuant to General Statutes § 53–396 (b), and in a pattern of denial effectively depriving the Defendant of her right of self-representation due process; and (2), whether the evidence concerning those predicate "incidents of racketeering activity" found by General Statutes § 53–396 (b) may consider the entire record, involvement in a pattern of racketeering activity, as required by General Statutes § 53–396 (a). And the Defendant should have the right to appeal for the sufficiency analysis evidence to support a conviction of racketeering. (State v. Bush, supra, 156 Conn. App. 265, 258-59, 112 A.3d 834 (2015). Pursuant to § 53–396 (b), citing Cole v. Arkansas, 333 U.S. 196, 202, 68 S. Ct. 514, 92 L. Ed. 644 (1948).

It is a settled law that "`[t]he essential elements of an action in fraud . . . are: (1) that a false representation was made as a statement of fact; (the false representation that the Bank of New York Mellon is a corporation registered in New York and open a case on place of jurisdiction when it was dismissed on February 27, 2012, for lack of subject matter jurisdiction because Plaintiff commenced this action under its fictitious name); (2) that it was untrue and known to be untrue by the party making it;

(See **App. 69**, and **App. 73** at **App. 75** ¶ **8**, **App. 94**, **App. 100**, **App. 117** at ¶ **2** and **App. 129** at **App. 132 about BNY Mellon**), (3) that it was made to induce the other party to act on it (the court opened the judgment based upon that false representation when they did not have subject matter jurisdiction in the first place); and (4) that the latter did so act on it to his injury. (As a result of the Plaintiff's actions, the Defendant has been dealing with the foreclosure actions for 13 years; the Defendant has suffered ascertainable economic loss and emotional distress and, in the process, lost the property that was rightfully owned by her as she had the quitclaim deed title, (**See APP. 134,** Quit-Claim Deed Transfer). Judge Domnarski does not have the right of immunity because he knowingly and willingly participated in the racketeering activity and pursued this action with no subject matter jurisdiction. It is as if he acted on his own time and free will and not for the best interests of the proper administration of justice. The court did not have the authority vested in them; the court lacked subject matter jurisdiction. Judges are not immune for actions though judicial in nature, taken in the complete absence of all jurisdictions over the subject matter. Bradley v. Fisher, 80 U.S. 13 Wall. 351, 335, (1871). Judge Domnarski's action was in the complete absence of all jurisdiction. Golden Hill Paugussett Tribe of Indians v. Weicker, 839 F. Supp. 130, 136 D. Conn. (1993).

The deprivation of the full process of the law right to due process and equal protection of the laws with foreclosure actions is the court system obligation of all states to ensure that a pro se litigants are not being deprived of the same courtesy and law as provided to one license attorney, or law firm. The Pro Se homeowner was mistreated in civil litigation and denied a full and fair opportunity to vindicate her claims to the federal appellate court. Deprivation of the full process of the law by a trial court system and then deprived of the **First Amendment's** constitutional right to petition the government for a redress of grievances, and the **14th Amendment's** constitutional right to due process and equal protection of the laws and regulations by the Connecticut Appellate Court, due to the time and energy expended on pro se litigants claims it should not be the factor of the unjustified deprivation of life, liberty, or property. The required elements of due process are those that minimize substantively unfair or mistaken deprivations by enabling persons to contest the basis upon which a state proposes to deprive them of protected interests.

The core of these requirements is notice and a hearing before an impartial tribunal. Due process also requires an opportunity for confrontation and cross-examination, and for discovery; that a decision be made based on the record, and that a party be allowed to be present at the time that decision be made under all the circumstances to protect one's interests. This right is a basic aspect of the duty of government to follow a fair process of decision making when it acts to deprive a

person of his possessions of property. This Defendant did not have that opportunity to be heard at a meaningful time and in a meaningful manner and the United States Supreme Court have the authority to require judicial review to determine to what extent its legislative, executive, and judicial powers should be kept distinct and separate as to pro se litigants when a judge is responsible as trespassers. 1A. Freeman, Judgments (5th Ed. 1925) § 322. with the knowledge that the court established that it had lacked jurisdiction a writ of certiorari issue to review the judgment below should be granted.

III. Whether there is an objective basis in fact for the statement that the honorable Connecticut Appellate Court repeatedly declined to protect the constitutional rights of a "Pro Se" foreclosure defendants.

The dispositive issue in this appeal is whether a pro se litigant frequently mistreated in civil litigation and denied a full and fair opportunity to vindicate her claims to federal appellate court and 95% of pro se litigants appeals end up in dismissal before the federal appellate court gives the pro se litigants the opportunity to file the brief or entry to the appellate court. Numerous legal commentators have expressed similar concerns yet the belief that pro se litigants are underserved by the legal community is widespread fact,

and the full extent of the challenges they face in court is still not understood and yet goes against the **First Amendment's** constitutional right to petition the government for a redress of grievances, and the **14th Amendment's** constitutional right to due process and equal protection of the laws to successfully navigate the legal process. The fact is that a pro se litigants are being deprived of the same courtesy as provided to a licensed attorney, or law firm to the degree to which the decision of the Appellate Court is inconsistent with the general principles permitted by the Connecticut Supreme Court according to recognized principles of equity; abuse of discretion is manifest and the Connecticut Appellate and Supreme Court in violation of both the federal and the state constitutions right of "life, liberty or property" "without due process of law." See U.S. Const., Amend. XIV, § 1; Conn. Const., art. I, § 8, particularly for the rights of one citizen as against another. United States v. Cruikshank, 92 U.S. 542, 554, 23 L. Ed. 588 (1876).

The legislature is presumed to have created a consistent body of law (Internal quotation marks omitted) In re Valerie D., 223 Conn. 492, 524, 613 A.2d 748 (1992). It is well settled that the pleadings of pro se should be trued liberally. Weinstein v. Albright, 261 F.3d 127, 132 (2d Cir. 2001) (citation omitted); Green v. United States, 260 F.3d 78, 83 (2d Cir. 2001) pro se litigants are entitled to a liberal construction of their pleadings which should be read to raise the strongest arguments that they suggest. (Citations and internal

quotation marks omitted). Due process and equal protection of the law does not permit nor tolerate abuse of process, misconduct intended to cause injury to the lack of knowledge or ability of pro se litigants. The right to appear pro se in a civil case in federal court is protected by statute 28 U.S.C § 1654 to successfully navigate the legal system thus, the court system and federal government deprives pro se litigants of life, liberty, and property without due process of the law the legal obligation of all states. dignified hearing process for pro se litigants.

The court deprived me of a legal oral argument pursuant to Connecticut Practice Book § 11-18(a)) (2021) and denied legal oral argument on motions that were argumentative as to motion to dismiss (Docket entry no. 141.00 and 148.00), motion for summary judgment (Docket entry no.163.00), motion for judgment of foreclosure (Docket entry no.184.00), motion to open judgment (Docket entry no.236.00), counterclaim and Claim for Jury of 6, (Docket entry no.160.00 and 161.00), on all of the motions I mentioned without hearing and no oral argument and all of the filings of my objections to the Plaintiff's filing and deprived me of due process right to oral argument as the motion I mentioned above is argumentative by a matter of right to fully set forth the positions and the basis for the fact of this case. (Lissak v. Cerabona, 10 A.D.3d 308, 309, 781 N.Y.S. 2D 337 [1st Dept. 2004]).

The purpose of a hearing is to satisfy the constitutional due process right that parties whose property rights are to be affected are entitled to be heard "at a meaningful time and in a meaningful manner". Roundhouse Constr. Corp. v. Telesco Masons Supplies Co., 168 Conn. 371, 362 A.2d 778, vacated, 423 U.S. 809, 96 S. Ct. 20, 46 L.Ed.2d 29 (1975), (remanded to consider whether court's judgment ground on fourteenth amendment, state constitutional provisions, or both).

The defendant had filed a written response to the plaintiff's motions. The court did not inquire whether the defendant wanted to be heard, namely, to argue whether the plaintiff had met its initial burden. Instead, the court immediately granted the motion of the plaintiff's "absent due process right to oral argument."

The defendant complied with the procedural requirements of Practice Book § 11-18 but was denied due process. (The opportunity for hearing and oral argument required by Practice Book § 11-18(a) was not provided). The failure to conduct hearing and oral argument constituted a reversible error. Singhaviroj v. Board of Education, 124 Conn. App. 228, 236, 4 A.3d 851 (2010) ("[p]arties are entitled to argue a motion for summary judgment as of right"). Both the federal and the state constitutions prohibit deprivation by government actions of "life, liberty or property"

"without due process of law." See U.S. Const., amend. XIV, § 1; Conn. Const., art. I, § 8.

The due process created for the purposes gives reasonable notice and affords fair opportunity to be heard before the issues are decided. Iowa Central Ry. Co. v. Iowa, 160 U.S. 389, 393, 16 S. Ct. 344, 40 L. Ed. 467 (1896). In a case cited therein, the Fourteenth Amendment prohibits the state from denying any person life, liberty, or property without due process of law, particularly for the rights of one citizen against another. United States v. Cruikshank, 92 U.S. 542, 554, 23 L. Ed. 588 (1876). In the case of this Defendant's foreclosure, she endured 13 years of litigation due to the misconduct and the violation of the due process and equal protection of the law by all parties involved, including the Connecticut Appellate, Supreme and Superior Courts, an appeal that is filed on the grounds of fraud on the court and violation of subject matter jurisdiction should never be dismissed on the grounds that the appeal is frivolous or lack of final judgment, to evict the Defendant although she had notice of intention to appeal and did file an appeal, and all was done when the court lacked subject matter jurisdiction, knowing they are responsible as trespassers. 1 A. Freeman, Judgments (5th Ed. 1925) § 322. also see Koennicke v. Maiorano 43 Conn. App. 1 - Conn: Appellate Court (1996), at pinpoint citation is 25. In a foreclosure proceeding, the trial court must exercise its equitable powers with fairness not only to the foreclosing mortgagee, but also to subsequent

encumbrances and the owner. Fidelity Trust Co. v. Irick, 206 Conn. 484, 490, 538 A.2d 1027 (1988).

One who seeks equity must also do equity and expect that equity will be done for all. LaCroix v. LaCroix, 189 Conn. 685, 689, 457 A.2d 1076 (1983). Because a mortgage foreclosure action is an equitable proceeding, the trial court may consider all relevant circumstances to ensure that complete justice is done. City Savings Bank v. Lawler, 163 Conn. 149, 155, 302 A.2d 252 (1972); Hartford Federal Savings Loan Assn. v. Lenczyk, 153 Conn. 457, 463, 217 A.2d 694 (1966). Reynolds v. Ramos, 188 Conn. 316, 320, 449 A.2d 182 (1982). In this case it is "entirely obvious" under this court's decision in Broaca v. Broaca, 181 Conn. 463, 468, 435 A.2d 1016 (1980), and under the court, Judge Morgan specified in her order of Dismissal of February 27, 2012, See **App. 69,** that the trial court lacks subject matter jurisdiction, according to recognized principles of equity, abuse of discretion is manifest, and an injustice appears to have been done to the defendant, (Thomas v. Thomas, 159 Conn. 477, 480, 271 A.2d 62 (1970)), and was done when the trial court lacks subject matter jurisdiction. America's Wholesale Lender v. Pagano, 87 Conn. App. 474, 866 A.2d 698 (2005).

While pro se litigants have important merits in their cases because of discrimination, or unfair prejudicial distinctions between pro se litigant based on the classes, categories to which they perceived to belong in the legal world. A person is unable to enjoy

his or her legal rights on an equal basis with others because of an unjustified distinction made in the law treatment of a majority of groups of citizens in the United States of America being unfairly treated on the besis of perceived statues of a fundamental proposition that serves as a foundation for a system of belief or behavior and not of the law.

The United States Supreme Court has the initial response to pro se litigants to be the voice of each and every pro se litigant, to push the bench bar, and academy to revisit these federal rules of pro se procedure. Numerous legal commentators have expressed concerns on the full extent of the resignation challenges pro se litigants continue to face in courts. Pro se litigants are frequently mistreated in civil litigation and denied a full and fair opportunity to vindicate their claims it is neither new nor limited to federal appellate courts.

In September 2017 Judge Richard Posner abruptly resigned from the Seventh Circuit. In subsequent interviews, Posner explained that he resigned in part because of his disagreement with his judicial colleagues over the Seventh Circuit's treatment of pro se litigants who appear before court without lawyers in particular; the court wasn't treating the pro se appellants fairly, didn't like the pro se appellants, and generally didn't want to do anything with them, (See David Lat, The Backstory behind Judge Richard Posner's Retirement (Above the Law, Sept 7, 2017),

archived at http://perma.cc/AW74-5TQ6. Posner's resignation is a powerful reminder of the challenges pro se litigants are facing and continue to face throughout the court system in the United States of America.

In this case, the Pro Se Petitioner Shula Waxwoman is a great example of Judge Richard Posner's testimony and understanding of the issues in pro se litigation and the need to conduct empirical analysis of pro se reforms in federal district courts by comparing case outcomes for pro se litigants in district courts that have implemented these types of reforms with the outcomes of similarly situated cases drafted by license attorney and law firms.

The outcomes of this pro se litgant's case is in conflict with the outcomes of similarly situated cases of the Appellate and Supreme Court, and it is "entirely obvious" under Judge Morgan, order of Dismissal of February 27, 2012, See **App. 69,** also under the Appellate and Supreme Court ruling in. America's Wholesale Lender v. Pagano, 87 Conn. App. 474, 866 A.2d 698 (2005). The jurisdiction in this case never existed and could never be the source of granting relief. See 1 A. Freeman, Judgments (5th Ed. 1925) § 321. Moreover, the court established that the Plaintiff lacked standards and therefore the court lacks subject matter jurisdiction; the jurisdictional issue was determined; the named plaintiff in the original complaint never existed. As a result, there was no

legally recognized entity for which there could be amended complaint or a substitute. Isaac v. Mount Sinai Hospital 3 Conn. App. 598 (Conn. App. Ct. 1985). The Bank of New York Mellon is a fictitious trade name of an entity doing business as The Bank of New York Mellon Corporation.

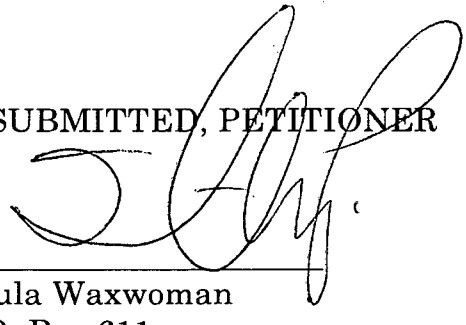
Review and grant of a writ of certiorari is required as the case has great significance and value to have profound effect on success, survival, or well-being important national significance, that harmonize conflicting decisions in the federal circuit courts, and undermined human rights, corruption the judicial independence and deprives societies of the meaning of the **First Amendment's** constitutional right to petition the government for a redress of grievances, and the **14th Amendment's** constitutional right to due process and equal protection of the laws to successfully navigate the legal process in the administration of justice and weakens the capacity of judicial system to guarantee the protection of the judges, prosecutors, lawyers, and other legal professionals. Pro se litigants as a whole have the right fundamental instrument for the protection of human rights, corruption undermines the core of the administration of justice and severely undermining the population's trust in the judiciary. This case has national significance; pro se litigants have a direct stake in the outcome of this case and the harmonize conflicting decisions in the trial and federal courts. Nevertheless, the interest in the conflicting of both the federal and the state constitutions prohibit

deprivation by government actions of "life, liberty or property" "without due process of law." See U.S. Const., amend. XIV, § 1; Conn. Const., art. I, § 8, the United States Supreme Court could have precedential value to considered the question of what process is due to unrepresented civil litigants' rules for pro se parties to illuminate the neglected corner of the federal courts of appeals this case is one of state court constitutional issue that drives that discrimination.

CONCLUSION

The petition for a writ of certiorari should be granted.

RESPECTFULLY SUBMITTED, PETITIONER



Pro se _____

Shula Waxwoman
P.O. Box 611
Westbrook, CT 06498
Phone: 860-853-8859
Email: rshlomit@yahoo.com

Executed on February 1, 2024