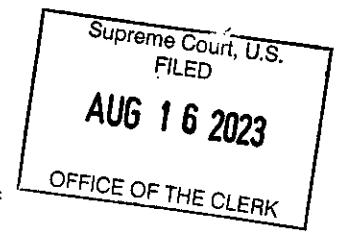


No. 23-158



In The
Supreme Court of the United States

—————♦—————
DORA L. ADKINS,

Petitioner,

v.

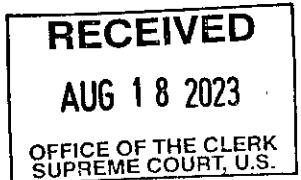
FITNESS INTERNATIONAL, LLC.,

Respondent.

—————♦—————
**On Petition For Writ Of Certiorari
To The United States Court Of Appeals
For The Fourth Circuit**

—————♦—————
PETITION FOR A WRIT OF CERTIORARI

—————♦—————
DORA L. ADKINS, *Pro Se*
P.O. Box 3825
Merrifield, VA 22116
DoraAdkins7@aol.com



QUESTIONS PRESENTED

- 1) Whether the U.S. Court of Appeals for the Fourth Circuit (“Fourth Circuit”) properly **AFFIRMED** the district court’s order that adopted the recommendation of the magistrate judge, denied Plaintiff/Appellant’s requests for leave to file an emergency complaint and leave to proceed on that complaint in *in forma pauperis*, and dismissed the case of *Adkins v. Fitness International, LLC.*, No. 1:22-cv-01130-PTG-WEF (E.D. Va. December 16, 2022). (Dkt. No. 11), Pet. Appendix 2; Pet. Appendix 7.
- 2) Whether the U.S. District Court for the Eastern District of Virginia (“District Court”) properly **DENIED** Plaintiff/Appellant Dora L. Adkins’ (“Adkins”) “Motion for Leave from the Court to File a Proposed Emergency Complaint,” [Dkt. 1] and properly **DENIED** Plaintiff/Appellant’s Application to Proceed in *in forma pauperis*. [Dkt. 2] (Dkt. No. 3), Pet. Appendix 7.
- 3) Whether the U.S. District Court for the Eastern District of Virginia (“District Court”) properly **OVERRULED** Plaintiff/Appellant Dora L. Adkins’ (“Adkins”) Objections and **APPROVED** and **ADOPTED IN FULL** the findings Magistrate Judge William E. Fitzpatrick set forth (Dkt. 3) and **DISMISSED WITH PREJUDICE** Plaintiff/Petitioner’s Proposed Emergency Complaint. (Dkt. No. 3), Pet. Appendix 7.

PARTIES TO THE PROCEEDING

Petitioner Dora L. Adkins was the plaintiff in the district court proceedings, plaintiff/appellant in the court of appeals proceedings and is petitioner in this Court. Fitness International, LLC., was the defendant in the district court, defendant/appellee in the court of appeals and is respondent in this Court. -

RELATED CASES

CASES FILED WITH THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA, ALEXANDRIA DIVISION:

***Adkins v. Public Storage*, Docket Number 1:16-cv-01556-JCC-IDD, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2009.**

***Adkins v. Alexandra Towers Investor, LLC.*, Docket Number 1:16-cv-00491-JCC-TCB, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2016.**

***Adkins v. Whole Foods Market Group, Inc.*, Docket Number 1:16-cv-0031-CMH-JFA (EDVA); U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2016.**

***Adkins v. City of Fairfax – GMU Crimesolvers, Inc.*, Docket Number 1:15-cv-00879-ICC-MSN; U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2015.**

RELATED CASES – Continued

Adkins v. Bank of America, N.A., Docket Number 1:14-cv-00563-GBL-JFA; U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2014.

Adkins v. Fairfax County School Board, et al., Docket Number 1:09-mc-00027-GBL-TCB (EDVA), U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2009.

Adkins v. Fairfax County School Board, et al., Docket Number 1:08-mc-00091-JCC-JFA; U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2008.

Adkins v. Fairfax County School Board, et al., Docket Number 1:08-mc-00050-GBL-TRJ; U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2008.

Adkins v. Fairfax County School Board, et al., Docket Number 1:08-mc-00050, Fourth Circuit Court of Appeals; Judgment entered 2008.

Adkins v. Fairfax County School Board, et al., Docket Number 08-1601, Fourth Circuit Court of Appeals; Judgment entered October 16, 2008.

Adkins v. Fairfax County School Board, et al., Docket Number 1:07-mc-00035-GBL-TCB, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2007.

Adkins v. Fairfax County School Board, et al., Docket Number 1:05-mc-00005, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2005.

RELATED CASES – Continued

Adkins v. Fairfax County School Board, et al., Docket Number 1:03-mc-01177-GBL, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2003.

Adkins v. Fairfax County School Board, et al., Docket Number 1:04-mc-00048-GBL-TCB, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2004.

Adkins v. Fairfax County School Board, et al., Docket Number 1:04-mc-00053-JCC-TRJ, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2004.

Adkins v. Fairfax County School Board, et al., Docket Number 1:98-mc-00304-LMB, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 1998.

Adkins v. Fairfax County School Board, et al., Docket Number 1:98-mc-01071-LMB, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 1998.

Adkins v. Fairfax County Board of Education; Docket Number 1:97-mc-00835-AVB, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 1997.

Adkins v. HBL, LLC., Docket Number 1:17-0074-TSE-TCB, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2017.

RELATED CASES – Continued

***Adkins v. Whole Foods Market Group, Inc.*, Docket Number 1:17-cv-01023, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2017.**

***Adkins v. HEI Tyson's Corner, LLC.*, Docket Number 1:18-cv-00291-AJT-IDD, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2018.**

***Adkins v. Dulles Hotel Corporation*, Docket Number 1:20-cv-00361-RDA-IDD, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2020.**

***Adkins v. Starbucks Corporation*, Docket Number 1:20-cv-01409-AJT-TCB, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2020.**

***Adkins v. Hyatt Corp.*, Docket Number 1:20 cv-01410-AJT-MSN, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2020.**

***Adkins v. Mercedes-Benz USA, LLC.*, Docket Number 1:22-00419-RDA-JFA; U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2022.**

***Adkins v. Tysons Lodging LLC.*, Docket Number 1:22-cv-00553-AJT-WEF, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2022.**

RELATED CASES – Continued

***Adkins v. Fitness International, LLC.*, Docket Number 1:22-cv-00577, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered, 2022.**

***Adkins v. Fitness International, LLC.*, Docket Number 1:22-cv-00749, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2022.**

***Adkins v. Ashford TRS, Alexandria LLC.*, Docket Number 22-2298, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2022.**

***Adkins v. American Service Center Associates of Alexandria, LLC.*, Docket Number 22-2126, U.S. District Court for the Eastern District of Virginia; Alexandria Division, Judgment entered 2022.**

***Adkins v. The Ritz Carlton Hotel Company, LLC.*, Docket Number 1:22-00934-CMH-WEF, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2022.**

***Adkins v. Hilton Worldwide Holdings, Inc.*, Docket Number 1:22-00109-AJT-IDD, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2022.**

***Adkins v. SP Hotel*, Docket Number 1:22-00399-AJT-IDD, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2022.**

RELATED CASES – Continued

Adkins v. Driftwood Special Servicing, LLC., Docket Number 1:22-cv-00109-AJT-IDD, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2022.

Adkins v. Merrifield Hotel Associates, L.P., Docket Number 1:22-cv-01017-CMH-WEF, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2022.

Adkins v. American Service Center Associates, LLC., Docket Number 1:22-00956, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2022.

Adkins v. Fitness International, LLC., Docket Number 1:22-cv-01130, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2022.

Adkins v. American Service Center Associates, LLC., et al., Docket Number 1:22-cv-01114-LMB-IDD, U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2022.

Adkins v. American Express Related Travel Service Company, Inc., U.S. District Court for the Eastern District of Virginia, Alexandria Division; Judgment entered 2023.

TOTAL = 39

CASES FILED WITH THE FAIRFAX COUNTY CIRCUIT COURT:

Adkins v. County School Board, Docket Number; Fairfax County Circuit Court; Judgment entered.

RELATED CASES – Continued

Adkins v. The Ritz-Carlton Hotel Company, LLC., Docket Number; Fairfax County Circuit Court; Judgment entered.

Adkins v. Renaissance Hotel Operating Company, Docket Number; Fairfax County Circuit Court; Judgment entered.

Adkins v. Goldstein, Docket Number; Fairfax County Circuit Court; Judgment entered.

Adkins v. Kaiser Foundation Health Plan of Mid-Atlantic States, Inc., Docket Number; Fairfax County Circuit Court; Judgment entered.

Adkins v. HEI Tyson's Corner, LLC., Docket Number; Fairfax County Circuit Court; Judgment entered.

Adkins v. Apple Federal Credit Union, Docket Number; Fairfax County Circuit Court; Judgment entered.

Adkins v. W-LCP Alexandria VII, LLC., Docket Number; Fairfax County Circuit Court; Judgment entered.

Adkins v. Government Employees Insurance Company, Docket Number; Fairfax County Circuit Court; Judgment entered.

Adkins v. JBG/Tysons Hotel, LLC, Docket Number; Fairfax County Circuit Court; Judgment entered.

Adkins v. HBL, LLC, Docket Number; Fairfax County Circuit Court; Judgment entered.

RELATED CASES – Continued

***Adkins v. Noodles & Company*, Docket Number; Fairfax County Circuit Court; Judgment entered.**

***Adkins v. BB&T*, Docket Number; Fairfax County Circuit Court; Judgment entered.**

***Adkins v. PAG Chantilly MI, LLC.*, Docket Number; Fairfax County Circuit Court; Judgment entered.**

***Adkins v. Hyatt Corp.*, Fairfax County Circuit Court; Judgment entered.**

***Adkins v. CH Realty VI-Greystar MF Tysons Elan, L.L.C.*, Law Case No.: 2017-17657; Fairfax County Circuit Court; Judgment entered.**

TOTAL = 16

CASES FILED WITH THE ALEXANDRIA CIRCUIT COURT:

***Adkins v. County School Board*, Record No. Alexandria Circuit Court; Judgment entered.**

***Adkins, Trustee v. Hallmark Condominium Unit Owners Association*, Record No. Alexandria Circuit Court; Judgment entered.**

***Adkins v. HEI Tyson's Corner, LLC.*, Record No. 111454; Alexandria Circuit Court; Judgment entered.**

***Adkins v. Hallmark Condominium Unit Owners Association*, Record No. Alexandria Circuit Court; Judgment entered.**

RELATED CASES – Continued

Adkins v. O'Neil Virginia Holdings, LLC., Record No. Alexandria Circuit Court; Judgment entered.

Adkins v. Ackerman and Associates, Record No. Alexandria Circuit Court; Judgment entered.

Adkins v. Davidson Hotel Company, LLC., Record No. Alexandria Circuit Court; Judgment entered.

Adkins v. High Velocity Hospitality, LLC., Record No. Alexandria Circuit Court; Judgment entered.

Adkins v. Fair Oaks Inn, LLC., Record No. Alexandria Circuit Court; Judgment entered.

Adkins v. King Street Station and Hotel Associates, LLC., Record No. Alexandria Circuit Court; Judgment entered.

Adkins v. Hilton Worldwide, Inc., Record No. Alexandria Circuit Court; Judgment entered.

Adkins v. Alexandria Hotel Associates, LLC., Record No. Alexandria Circuit Court; Judgment entered.

Adkins v. HEI Tyson's Corner, LLC., Record No. Alexandria Circuit Court; Judgment

Adkins v. Davidson Hotel Company, LLC., Record No. 131897; Alexandria Circuit Court; Judgment entered 06-20-2014.

TOTAL = 14

RELATED CASES – Continued

CASES FILED WITH CIRCUIT COURT FOR ARLINGTON COUNTY:

Adkins v. Renaissance Hotel Operating Company, Circuit Court for Arlington County; Judgment entered.

Adkins v. American Service Center Associates, LLC., Circuit Court for Arlington County; Judgment entered.

Adkins v. CP/IPERS Arlington Hotel, LLC., Circuit Court for Arlington County; Judgment entered.

Adkins v. American Service Center Associates, LLC., Circuit Court for Arlington County; Judgment entered.

TOTAL = 4

CASES FILED WITH CIRCUIT COURT FOR FREDERICKSBURG:

Adkins v. RH Hi-line, Inc., Circuit Court for Fredericksburg; Judgment entered.

TOTAL = 1

CASES FILED WITH THE CIRCUIT COURT FOR THE CITY OF MANASSAS:

Adkins v. Chipotle Mexican Grill of Colorado, LLC, Circuit Court for Manassas; Judgment entered.

TOTAL = 1

CASES APPEALED TO FOURTH CIRCUIT COURT OF APPEALS FROM U.S. DISTRICT COURT FROM

RELATED CASES – Continued

THE EASTERN DISTRICT OF VIRGINIA, ALEXANDRIA DIVISION:

Adkins v. Fairfax County School Board, et al., Docket Number 1:09-mc-00027, Fourth Circuit Court of Appeals, Judgment entered 2009.

Adkins v. Fairfax County School Board, et al., Docket Number 1:08-mc-00091, Fourth Circuit Court of Appeals, Judgment entered 2008.

Adkins v. Fairfax County School Board, et al., Docket Number 1:08-mc-00050, Fourth Circuit Court of Appeals, Judgment entered 2008.

Adkins v. Fairfax County School Board, et al., Docket Number 08-1601, Fourth Circuit Court of Appeals, Judgment entered November 10, 2008.

REHEARING AND REHEARING EN BANC: *Adkins v. Fairfax County School Board, et al.*, Docket Number 08-1601, Fourth Circuit Court of Appeals, Judgment entered November 10, 2008.

Adkins v. Fairfax County School Board, et al., Docket Number 1:07-mc-00035, Fourth Circuit Court of Appeals, Judgment entered 2007.

Adkins v. Fairfax County School Board, et al., Docket Number 1:05-mc-00005, Fourth Circuit Court of Appeals, Judgment entered 2005.

Adkins v. Fairfax County School Board, et al., Docket Number 1:03-mc-01177, Fourth Circuit Court of Appeals, Judgment entered 2003.

RELATED CASES – Continued

Adkins v. Fairfax County School Board, et al., Docket Number 1:04-mc-00048, Fourth Circuit Court of Appeals, Judgment entered 2004.

Adkins v. Fairfax County School Board, et al., Docket Number 1:04-mc-00053, Fourth Circuit Court of Appeals; Judgment entered 2004.

Adkins v. Fairfax County School Board, et al., Docket Number 1:98-mc-00304, Fourth Circuit Court of Appeals, Judgment entered 1998.

Adkins v. Fairfax County School Board, et al., Docket Number 1:98-mc-01071, Fourth Circuit Court of Appeals, Judgment entered 1998.

Adkins v. Fairfax County Board of Education; Docket Number 1:97-mc-00835, Fourth Circuit Court of Appeals, Judgment entered 1997.

Adkins v. Bank of America, N.A.; Docket Number 1:14-cv-00563, Fourth Circuit Court of Appeals, Judgment entered October 23, 2014.

REHEARING AND REHEARING EN BANC: *Adkins v. Bank of America, N.A.*; Docket Number 1:14-cv-00563, Fourth Circuit Court of Appeals, Judgment entered December 16, 2014.

Adkins v. K. Jochem, et al., Docket Number 1:15-cv-00879, Fourth Circuit Court of Appeals, Judgment entered March 31, 2015.

Adkins v. Whole Foods Market Group, Inc., Docket Number 1:16-cv-00031, Fourth Circuit Court of Appeals, Judgment entered 2016.

RELATED CASES – Continued

Adkins v. Public Storage, Docket Number 1:16-cv-01556-JCC, Fourth Circuit Court of Appeals, Judgment entered 2016.

Adkins v. HBL, LLC., Docket Number 17-0074, Fourth Circuit Court of Appeals, Judgment entered 2017.

REHEARING AND REHEARING EN BANC: *Adkins v. HBL, LLC.*, Docket Number 17-0074, Fourth Circuit Court of Appeals; Judgment January 18, 2018.

Adkins v. Whole Foods Market Group, Inc., Docket Number 1:17-cv-01023, Fourth Circuit Court of Appeals; Judgment entered 2017.

Adkins v. Alexandria Towers, LLC., Docket Number 1:16-cv-0049, Fourth Circuit Court of Appeals; Judgment entered 2016.

Adkins v. Dulles Hotel Corporation, Docket Number 1:20-cv-00361, Fourth Circuit Court of Appeals; Judgment entered December 29, 2020.

Adkins v. Driftwood Special Servicing, LLC., Docket Number 1:22-cv-00109, Fourth Circuit Court of Appeals; Judgment entered April 19, 2022.

REHEARING AND REHEARING EN BANC: *Adkins v. Driftwood Special Servicing, LLC.*, Docket Number 1:22-cv-00109, Fourth Circuit Court of Appeals; Judgment entered May 23, 2022.

Adkins v. Merrifield Hotel Associates, L.P., Docket Number 1:22-1414, Fourth Circuit Court of Appeals; Judgment entered July 28, 2022.

RELATED CASES – Continued

Adkins v. Tysons Lodging LLC., Docket Number 1:22-cv-00553, Fourth Circuit Court of Appeals; Judgment entered August 25, 2022.

Adkins v. Hyatt Corp., Docket Number 1:20-cv-1410, Fourth Circuit Court of Appeals; Judgment entered 2020.

Adkins v. Mercedes-Benz USA, LLC., Docket Number 22-1888, (4th Cir. 2022); Fourth Circuit Court of Appeals; Judgment entered 2020

Adkins v. Mercedes-Benz USA, LLC., Docket Number 22-1888, (4th Cir. 2022), Fourth Circuit Court of Appeals; Judgment entered 2022.

Adkins v. Fitness International, LLC., Docket Number 22-2297, Fourth Circuit Court of Appeals; Judgment entered February 23, 2023.

Adkins v. Fitness International, LLC., Docket Number 22-2245, Fourth Circuit Court of Appeals; Judgment entered February 23, 2023.

Adkins v. American Service Center Associates, LLC., Docket Number 22-2105, Fourth Circuit Court of Appeals; Judgment entered January 19, 2023.

Adkins v. American Service Center Associates of Alexandria, LLC., Docket Number 22-2126, Fourth Circuit Court of Appeals; Judgment entered March 23, 2023.

Adkins v. Whole Foods Market Group, Inc., Docket Number 22-2141; Fourth Circuit Court of Appeals; Judgment entered January 19, 2023.

RELATED CASES – Continued

Adkins v. Ashford TRS, Alexandria LLC., Docket Number 22-2298, Fourth Circuit Court of Appeals; Judgment entered March 23, 2023.

Adkins v. American Express Related Services, LLC., Docket Number 23-1064, Fourth Circuit Court of Appeals; Judgment entered 2023.

TOTAL = 39

PETITIONS SUBMITTED TO THE U.S. SUPREME COURT:

Adkins, Petitioner v. K. Jochem, et al., Docket for 16-5099, United States Supreme Court; Judgment entered November 14, 2016.

REHEARING: *Adkins, Petitioner v. K. Jochem, et al.*, Docket for 16-5099, United States Supreme Court; Judgment entered February 21, 2017.

Adkins, Petitioner v. Bank of America, N.A., Docket for 14-8190, United States Supreme Court; Judgment entered May 18, 2015.

Adkins, Petitioner v. Tyson's Lodging, LLC., Docket for 22-5527, United States Supreme Court; Judgment entered November 14, 2016.

Adkins, Petitioner v. Merrifield Hotel Associates, LP., Docket for 22-5317, United States Supreme Court; Judgment entered October 11, 2022.

Adkins, Petitioner v. Driftwood Special Servicing, LLC., Docket for 21-8270, United States Supreme Court; Judgment entered May 18, 2015.

RELATED CASES – Continued

Adkins, Petitioner v. Dulles Hotel Corporation; Docket for 20-6853; United States Supreme Court; Judgment entered March 22, 2021.

Adkins, Petitioner v. Whole Foods Market Group, Inc.; Docket for 16-7069; United States Supreme Court; Judgment entered May 18, 2015.

Adkins, Petitioner v. Whole Foods Market Group, Inc.; Docket for 19-8198; United States Supreme Court; Judgment entered May 18, 2015.

Adkins, Petitioner v. Whole Foods Market Group, Inc.; Docket for 22-1024; United States Supreme Court; Judgment entered May 18, 2015.

Adkins, Petitioner v. Whole Foods Market Group, Inc.; Docket for 18-6386; United States Supreme Court, Judgment entered May 18, 2015.

REHEARING: *Adkins, Petitioner v. Whole Foods Market Group, Inc.*; Docket for 18-6386; United States Supreme Court; Judgment entered February 19, 2019.

Adkins, Petitioner v. HBL, LLC; Docket for 17-7663; Judgment entered April 16, 2018.

REHEARING: *Adkins, Petitioner v. HBL, LLC*; Docket for 17-7663; United States Supreme Court, Judgment entered May 21, 2018.

Adkins, Petitioner v. Driftwood Special Servicing, LLC., Docket for 21-8270; United States Supreme Court; Judgment entered October, 03, 2022.

Adkins, Petitioner v. Whole Foods Market Group, Inc.; Docket for 16-7069; United States Supreme Court,; Judgment entered April 17, 2017.

RELATED CASES – Continued

REHEARING: *Adkins, Petitioner v. Whole Foods Market Group, Inc.*; Docket for 16-7069; United States Supreme Court; Judgment entered June 5, 2017.

Adkins, Petitioner v. Public Storage Inc.; Docket for 17-1754; United States Supreme Court; Judgment entered December 4, 2017.

REHEARING: *Adkins, Petitioner v. Public Storage Inc.*; Docket for 17-1754; United States Supreme Court; Judgment entered February 20, 2018.

Adkins, Petitioner v. Fairfax County School Board, et al.; Docket for 08-7429, United States Supreme Court; Judgment entered January 12, 2009

REHEARING: *Adkins, Petitioner v. Fairfax County School Board, et al.*; Docket for 08-7429; United States Supreme Court; Judgment entered February 23, 2009

Adkins, Petitioner v. Whole Foods Market Group, Inc.; United States Supreme Court; Judgment entered June 2023.

Adkins, Petitioner v. American Service Center Associates, LLC., Docket Number 22-2105, United States Supreme Court; Judgment entered.

APPLICATIONS:

Dora L. Adkins, Applicant v. Ashford TRS Alexandria, LLC., Docket for 22-1024 Dora L. Adkins, Applicant United States Court of Appeals for the Fourth Circuit Application (22A1062) to extend the time to file a petition for a writ of certiorari from June 21, 2023 to July 30, 2023, submitted to The Chief Justice.

RELATED CASES – Continued

Dora L. Adkins, Applicant v. Fitness International, LLC., Docket for 22A1049 Dora L. Adkins, Applicant United States Court of Appeals for the Fourth Circuit Application (22A1049) to extend the time to file a petition for a writ of certiorari from June 22, 2023 to August 21, 2023, submitted to The Chief Justice.

TOTAL = 24

PETITIONS FILED AND/OR SUBMITTED TO THE VIRGINIA SUPREME COURT:

Adkins v. County School Board, Record No. 092357; Virginia Supreme Court; Judgment entered 04-15-2010.

REHEARING: *Adkins v. County School Board*, Record No. 092357; Virginia Supreme Court; Judgment entered 06-17-2010.

Adkins v. Goldstein, Record No. 102358; Virginia Supreme Court; Judgment entered 04-25-2011.

REHEARING: *Adkins v. Goldstein*, Record No. 102358; Virginia Supreme Court; Judgment entered 06-17-2011.

Adkins, Trustee v. Hallmark Condominium Unit Owners Association, Record No. 102297, Virginia Supreme Court; Judgment entered 04-15-2011.

REHEARING: *Adkins, Trustee v. Hallmark Condominium Unit Owners Association*, Record No. 102297, Virginia Supreme Court; Judgment entered 06-17-2011.

RELATED CASES – Continued

Adkins v. Kaiser Foundation Health Plan of Mid-Atlantic States, Inc., Record No. 102449; Virginia Supreme Court; Judgment entered 04-06-2011.

Adkins v. HEI Tyson's Corner, LLC., Record No. 111454; Virginia Supreme Court; Judgment entered 12-16-2011.

REHEARING: *Adkins v. HEI Tyson's Corner, LLC.*, Record No. 111454; Virginia Supreme Court; Judgment entered 03-09-2012.

Adkins v. Hallmark Condominium Unit Owners Association, Record No. 112282; Virginia Supreme Court; Judgment entered 04-23-2012.

REHEARING: *Adkins v. Hallmark Condominium Unit Owners Association*, Record No. 112282; Virginia Supreme Court; Judgment entered 06-15-2012.

Adkins v. O'Neil Virginia Holdings, LLC., Record No. 130383; Virginia Supreme Court; Judgment entered 10-28-2013.

Adkins v. Ackerman and Associates, Record No. 131896; Virginia Supreme Court; Judgment entered 06-16-2014.

REHEARING: *Adkins v. Ackerman and Associates*, Record No. 131896; Virginia Supreme Court; Judgment entered 09-19-2014.

Adkins v. Davidson Hotel Company, LLC., Record No. 131897; Virginia Supreme Court; Judgment entered 06-20-2014.

RELATED CASES – Continued

REHEARING: *Adkins v. Davidson Hotel Company, LLC.*, Record No. 131897; Virginia Supreme Court; Judgment entered 09-19-2014.

Adkins v. High Velocity Hospitality, LLC., Record No. 140431; Virginia Supreme Court; Judgment entered 11-13-2014.

REHEARING: *Adkins v. High Velocity Hospitality, LLC.*, Record No. 140431; Virginia Supreme Court; Judgment entered 01-15-2015.

Adkins v. American Service Center Associates, LLC., Record No. 140491; Virginia Supreme Court; Judgment entered 06-20-2014.

REHEARING: *Adkins v. American Service Center Associates, LLC.*, Record No. 140491; Virginia Supreme Court; Judgment entered 09-19-2014.

Adkins v. Fair Oaks Inn, LLC., Record No. 140690; Virginia Supreme Court; Judgment entered 11-06-2014.

REHEARING: *Adkins v. Fair Oaks Inn, LLC.*, Record No. 140690; Virginia Supreme Court; Judgment entered 01-15-2015.

Adkins v. King Street Station and Hotel Associates, LLC., Record No. 140872; Virginia Supreme Court; Judgment entered 12-08-2014.

REHEARING: *Adkins v. King Street Station and Hotel Associates, LLC.*, Record No. 140872; Virginia Supreme Court; Judgment entered 03-06-2015.

Adkins v. Hilton Worldwide, Inc., Record No. 140875; Virginia Supreme Court; Judgment entered 12-08-2014.

RELATED CASES – Continued

REHEARING: *Adkins v. Hilton Worldwide, Inc.*, Record No. 140875; Virginia Supreme Court; Judgment entered 03-06-2015.

Adkins v. Apple Federal Credit Union, Record No. 140882; Virginia Supreme Court; Judgment entered 03-04-2015.

REHEARING: *Adkins v. Apple Federal Credit Union*, Record No. 140882; Virginia Supreme Court; Judgment entered 04-24-2015.

Adkins v. Alexandria Hotel Associates, LLC., Record No. 141334; Virginia Supreme Court; Judgment entered 03-04-2015.

REHEARING: *Adkins v. Alexandria Hotel Associates, LLC.*, Record No. 141334; Virginia Supreme Court; Judgment entered 04-24-2015.

Adkins v. The Ritz-Carlton Hotel Company, LLC., Record No. 150574; Virginia Supreme Court; Withdrawal entered 09-17-2015.

Adkins v. Renaissance Hotel Operating Company, Record No. 150623; Virginia Supreme Court; Withdrawal entered 09-17-2015.

Adkins v. HEI Tyson's Corner, LLC, Record No. 151510; Virginia Supreme Court; Judgment entered 03-17-2016.

REHEARING: *Adkins v. HEI Tyson's Corner, LLC.*, Record No. 151510; Virginia Supreme Court; Judgment entered 05-13-2016.

RELATED CASES – Continued

Adkins v. American Service Center Associates, LLC., Record No. 151511; Virginia Supreme Court; Judgment entered 04-26-2016.

REHEARING: *Adkins v. American Service Center Associates, LLC.*, Record No. 151511; Virginia Supreme Court; Judgment entered 06-30-2016.

Adkins v. W-LCP Alexandria VII, LLC., Record No. 160570; Virginia Supreme Court; Judgment entered 10-17-2016.

REHEARING: *Adkins v. W-LCP Alexandria VII, LLC.*, Record No. 160570; Virginia Supreme Court; Judgment entered 11-22-2016.

Adkins v. Government Employees Insurance Company, Record No. 160578; Virginia Supreme Court; Judgment entered 05-11-2017.

REHEARING: *Adkins v. Government Employees Insurance Company*, Record No. 160578; Virginia Supreme Court; Judgment entered 06-30-2017.

Adkins v. CP/IPERS Arlington Hotel, LLC., Record No. 160685; Virginia Supreme Court; Judgment entered 01-30-2017.

REHEARING: *Adkins v. CP/IPERS Arlington Hotel, LLC.*, Record No. 160685; Virginia Supreme Court; Judgment entered 06-9-2017.

Adkins v. JBG/Tysons Hotel, LLC, Record No. 161145; Virginia Supreme Court Judgment entered 05-09-2017.

REHEARING: *Adkins v. JBG/Tysons Hotel, LLC.*, Record No. 161145; Virginia Supreme Court Judgment entered 06-30-2017.

RELATED CASES – Continued

Adkins v. HBL, LLC., Record No. 161164; Virginia Supreme Court; Judgment entered 05-08-2017.

REHEARING: *Adkins v. HBL, LLC.*, Record No. 161164; Virginia Supreme Court; Judgment entered 06-30-2017.

Adkins v. Noodles & Company, Record No. 161238; Virginia Supreme Court; Judgment entered 05-08-2017.

REHEARING: *Adkins v. Noodles & Company*, Record No. 161238; Virginia Supreme Court; Judgment entered 06-30-2017.

Adkins v. BB&T., Record No. 170112; Virginia Supreme Court; Judgment entered 09-15-2017.

REHEARING: *Adkins v. BB&T.*, Record No. 170112; Virginia Supreme Court; Judgment entered 11-21-2017.

Adkins v. PAG Chantilly MI, LLC.; Record No. 170764 Virginia Supreme Court; Judgment entered 07-28-2017.

Adkins v. RH Hi-line, Inc., Virginia Supreme Court; Judgment entered 2020.

Adkins v. Davidson Hotel Company, LLC., Virginia Supreme Court; Judgment entered.

Adkins v. CH Realty VI-Greystar MF Tysons Elan, L.L.C., Law Case No.: 2017-17657; Virginia Supreme Court; Judgment entered.

TOTAL = 54

BACKGROUND: 194 Complaints and Petitions Combined. Each of the Petitions were filed first with the following Circuit Court or District Court: Fairfax

RELATED CASES – Continued

County Circuit Court; U.S. District Court Alexandria Division; Circuit Court for Arlington County; Circuit Court for City of Alexandria; Circuit Court for City of Manassas; Circuit Court for City of Fredericksburg.

Petitions for Rehearing and Rehearing *En Banc* were filed with the Fourth Circuit Court of Appeals; Petitions and Petitions for Rehearing were filed with the Virginia Supreme Court; and Petitions for a Writ of Certiorari and Petitions for Rehearing were filed with the United States Supreme Court to Majority of Petitioner's Denied; Affirmed; and/or Dismissed Judgments Entered.

GRAND TOTAL = 194

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No. _____

—————♦—————
**In The
Supreme Court of the United States**
—————♦—————

DORA L. ADKINS,

Petitioner,

v.

FITNESS INTERNATIONAL, LLC.,

Respondent.

—————♦—————
**PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

Petitioner, Dora L. Adkins, respectfully asks that a writ of certiorari issue to review the judgment issued by the United States Court of Appeals for the Fourth Circuit that affirmed by unpublished per curiam opinion the following: On February 23, 2023, the Fourth Circuit wrote, “We have reviewed the district court record and find no reversible error.” “Accordingly, we grant Adkins’ motion to amend her informal brief and affirm for the reasons stated by the district court.” *Adkins v. Fitness, International, LLC.*, No. 1:22-cv-01130-PTG-WEF (E.D. Va. December 16, 2022). We deny Adkins’ motions to reverse and remand, to vacate and remand,

to replace her motion to vacate and remand, and to amend her motion to vacate and remand. "(Dkt. No. 11, Dkt. No. 12)." Pet. Appendix 2.

PER CURIAM BELOW

The Per Curiam of the United States Court of Appeals for the Fourth Circuit was filed on February 23, 2023, and is attached as Pet. Appendix 2. The United States Court of Appeals for the Fourth Circuit's Per Curiam, Judgment, Temporary Stay Mandate, Rehearing and Rehearing *En Banc* Order; and Mandate are attached as Pet. Appendix 1-6. The U.S. District Court for the Eastern District of Virginia Report and Recommendation Dated, October 20, 2022; and Order, Dated, December 16, 2022, are attached as Pet. Appendix 7.

JURISDICTION

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1). The decision of the United States Court of Appeals for the Fourth Circuit for which Petitioner seeks review was issued on February 23, 2023. The United States Court of Appeals for the Fourth Circuit affirmed the District Court's decision to DENY Plaintiff/Petitioner Dora L. Adkins' ("Adkins") "Motion for Leave from the Court to File a **Proposed** Emergency Complaint," and her Application against the Defendant/Respondent, *Fitness International, LLC*, in the case of *Dora L. Adkins v. Fitness International*,

LLC., Law, Case No. 1:22-cv-01130 (PTG-WEF) E.D. Va. December 16, 2022, stated the following: “ORDERED that Plaintiff/Petitioner’s Motion [Dkt. 1] and her Application [Dkt. 2] be DENIED. It is further ORDERED that Plaintiff/Petitioner’s Motion for Leave (Dict. 1) and IFP Application (Dict. 2) are DENIED. It is further ORDERED that this matter be and is DISMISSED WITH PREJUDICE. It is SO ORDERED is attached as Pet. Appendix 7. This petition was granted an extension of time until August 21, 2023, from United States Court of Appeals for the Fourth Circuit’s affirmed decision.

**CONSTITUTIONAL AND
STATUTORY PROVISIONS INVOLVED**

N/A.

STATEMENT OF CASE

A. Facts Giving Rise To This Case

“Plaintiff/Petitioner entered into a Contract with the Defendant/Respondent, Fitness International LLC., on August 13, 2021. Plaintiff/Petitioner have been going to the following four LA/Fitness gyms since August 2021 and/or Year and a Half, when not staying in a hotel.”

LA/Fitness - Herndon, VA

Located in: Herndon Centre

Address: 494 Elden St, Herndon, VA 20170

Phone: (571) 500-5730

LA/Fitness - Arlington, VA

Located in: National Gateway

Address: 3550 S Clark St, Arlington, VA 22202

Phone: (703) 229-1504

LA/Fitness - Springfield, VA

Located in: Springfield Town Center

Address: 6565 SPRINGFIELD MALL, Springfield, VA

22150

Phone: (703) 682-2861

LA/Fitness - Alexandria, VA

Located in: Plaza at Landmark

Address: 6200 Little River Turnpike, Alexandria, VA

22312

Phone: (703) 637-2204

“Plaintiff/Petitioner started using the LA/Fitness gym in August 2021, for a shower ONLY when Plaintiff/Petitioner was not living in a hotel because Plaintiff/Petitioner have been Homeless since starting in the Year 2005.”

“In the month of September 2022, Plaintiff/Petitioner mostly used the LA/Fitness gym located in Herndon, VA because this particular LA/Fitness gym is the newest out of the four gyms located in Northern VA. Plaintiff/Petitioner’s vehicle was sprayed with chemical poisoning three-times in September 2022, after Plaintiff/Petitioner saw an employee for the LA/Fitness gym park his vehicle not far from the

location Plaintiff/Petitioner parked Plaintiff/Petitioner's vehicle. Plaintiff/Petitioner carefully chose the parking area to prevent Plaintiff/Petitioner's vehicle from becoming damaged from door dents, scratches, and etc., from other vehicles."

"It is a fact that Plaintiff/Petitioner's vehicle became sprayed with a chemical poisoning while parked at the LA/Fitness gym located in Herndon, VA because Plaintiff/Petitioner cleaned the windows on the vehicle 4-8 times per-day and one of the times is just before going to the LA/Fitness gym located in Herndon, VA for a daily shower."

"It is a fact that Plaintiff/Petitioner's vehicle became sprayed with chemical poisoning because Plaintiff/Petitioner immediately became ill after re-entering Plaintiff/Petitioner's vehicle with an extreme and debilitating migraine headache after taking a shower."

"It is a fact that Plaintiff/Petitioner immediately took Plaintiff/Petitioner's vehicle to Embassy Autowash located at 20900 Pidgeon Hill Drive, Herndon, VA 20170; phone number 703-444-0862. The Manager for Embassy Autowash carefully examined Plaintiff/Petitioner's vehicle and found the chemical poisoning all over Plaintiff/Petitioner's vehicle including all of the windows; the sunroof; the hood; and/or all paint surfaces of Plaintiff/Petitioner's vehicle. The Manager of Embassy Autowash agreed to wash Plaintiff/Petitioner's vehicle costing \$30.00 for no charge to Plaintiff/Petitioner. The Manager explained to Plaintiff/

Petitioner that the car wash would not remove the stains left from the chemicals as well as; that not even buffing the paint surfaces would remove the chemical poisoning substances from Plaintiff/Petitioner's vehicle. Plaintiff/Petitioner's vehicle was washed by Embassy Autowash and just as the Manager had informed the Plaintiff/Petitioner the stains were not removed but the smell of the chemicals already inside Plaintiff/Petitioner's vehicle and back on the Plaintiff/Petitioner's body even though Plaintiff/Petitioner just showered were washed away from the exterior of the vehicle and the smell of chemicals were diminished BUT REMAIN BECAUSE THE CHEMICAL POISONING SUBSTANCE IS IN THE LEATHER SEATS OF PLAINTIFF'S VEHICLE AND/OR HAS SETTLED ON EVERYTHING INSIDE PLAINTIFF/PETITIONER'S VEHICLE."

"It is a fact that Plaintiff/Petitioner's vehicle was sprayed a second time with a chemical poisoning while parked at the LA/Fitness gym located in Herndon, VA. Plaintiff/Petitioner's contact with the chemical poisoning immediately made the Plaintiff/Petitioner ill. Plaintiff/Petitioner went to the Mr Wash Car Wash located at 101 N Glebe Rd, Arlington, VA 22203; whereby, Plaintiff/Petitioner previously had a cash wash membership with Mr Wash Car Wash. A manager for Mr Wash Car Wash agreed to wash Plaintiff/Petitioner's vehicle costing \$30.00 at no charge to the Plaintiff/Petitioner."

"Plaintiff/Petitioner's vehicle was sprayed a third time with chemical poisoning while parked at the

LA/Fitness gym located in Herndon, VA with an unknown chemical poisoning substance. The Manager for Mr Wash Car Wash located at 420 S Van Dorn St, Alexandria, VA 22304; Phone: 703-751-4138; agreed to provide Plaintiff/Petitioner with a complimentary \$30.00 carwash, at no charge.”

“This Emergency Complaint allege Claims for chemical poisoning sprayed directly onto Plaintiff/Petitioner’s vehicle; being provided dirty and stained bath towels; constant unwanted cell photos taken of the Plaintiff/Petitioner in the Women’s Locker Room; a nude photo of Plaintiff/Petitioner while showering in the Shower Room for Women; and a male custodian walking and/or cleaning in the Women Shower area; whereby, the custodian saw Plaintiff/Petitioner in just a towel; and one day later the same custodian was acting as a Front Desk Representative for the sole purpose of getting Plaintiff/Petitioner’s personal information.”

“The Motion for Leave to File a Proposed Emergency Complaint include *Count #1*: Intentional Infliction of Emotional Distress; and a *Claim* for Punitive Damages as a *Prima Facie* Case Cause of Action. The Motion for Leave to File a Proposed Emergency Complaint amount seeks compensatory and punitive damages for the same amount of \$300-Million Dollars for a total of \$600-Million Dollars.”

B. The District Court Proceedings

On October 5, 2022, Plaintiff/Petitioner filed a Motion for Leave to File a Proposed Emergency Complaint. (Dkt. No. 1). On October 5, 2022, Plaintiff/Petitioner Filed a Motion for Leave to Proceed in *in forma pauperis*. (Dkt. No. 2). On October 20, 2022, REPORT AND RECOMMENDATIONS re #1 MOTION for Leave to File filed by Dora L. Adkins Objections to R&R due by 11/3/2022 and/or 14-days from October 20, 2022. Signed by Magistrate Judge William E. Fitzpatrick on 10/20/2022. On October 28, 2022, Plaintiff/Petitioner filed Objections to the District Court's REPORT AND RECOMMENDATIONS. On October 31, 2022, a Continuation of Plaintiff/Petitioner's Objections to the District Court's PROPOSED FINDINGS OF FACT AND RECOMMENDATIONS.

On December 16, 2022, the District Court's Order stated the following: "ORDERED that Plaintiff/Petitioner's Motion [Dkt. 1] and her Application [Dkt. 2] be DENIED. It is further ORDERED that Plaintiff/Petitioner's Motion for Leave (Dict. 1) and IFP Application (Dict. 2) are DENIED. It is further ORDERED that this matter be and is DISMISSED WITH PREJUDICE. It is SO ORDERED.

On December 20, 2022, Plaintiff/Petitioner filed a NOTICE OF APPEAL with the District Court to the District Court's Order, Dated, December 16, 2022.

C. The Appellate Court Proceedings

Plaintiff/Appellant filed an Informal Brief and an Application with the United States Court of Appeals for the Fourth Circuit on January 3, 2023. The United States Court of Appeals for the Fourth Circuit granted Plaintiff/Petitioner leave to proceed in *in forma pauperis*. On February 23, 2023, USCA JUDGMENT as to the Notice of Appeal filed by Dora L. Adkins was the following. In accordance with the decision of this court, the judgment of the district court is affirmed. The judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41. On February 28, 2023, USCA Temporary Stay of Mandate re Notice of Appeal. Plaintiff/Petitioner filed a Rehearing and Rehearing *En Banc*. The Petition for Rehearing and Rehearing *En Banc* was DENIED on March 24, 2023. On April 3, 2023, USCA issued its Mandate. The judgment of this court, entered February 23, 2023, takes effect today. This constitutes the formal mandate of this court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure. The instant Petition ensued. For the reasons discussed below, the Petition in all respects should be granted.

REASONS FOR GRANTING THE PETITION**I. EVIDENCE SHOWS AND PROVES THE FOURTH CIRCUIT COURT OF APPEALS ABUSED ITS DISCRETION WHEN IT AFFIRMED THE DISTRICT COURT'S ORDER, DATED, DECEMBER 16, 2022**

ISSUES APPEALED BECAUSE OF ABUSE OF DISCRETION:

- A. Whether the U.S. Court of Appeals for the Fourth Circuit (“Fourth Circuit”) properly AFFIRMED the district court’s order that adopted the recommendation of the magistrate judge, denied Plaintiff/Petitioner’s requests for leave to file an emergency complaint and leave to proceed on that complaint in *in forma pauperis*, and dismissed the case of *Adkins v. Fitness International, LLC.*, No. 1:22-cv-01130-PTG-WEF (E.D. Va. December 16, 2022). (Dkt. No. 11), Pet. Appendix 2.**

Based on Plaintiff/Petitioner’s Facts, Proof, and Evidence, the District Court AND the Fourth Circuit Court of Appeals abused its discretion in its Order, Dated, December 16, 2022, and in the Opinion, Dated, February 23, 2023, determining, “We have reviewed the district court record and find no reversible error.” “Accordingly, we grant Adkins’ motion to amend her informal brief and affirm for the reasons stated by the district court.” *Adkins v. Fitness, International, LLC.*, No. 1:22-cv-01130-PTG-WEF (E.D. Va. December 16,

2022). We deny Adkins' motions to reverse and remand, to vacate and remand, to replace her motion to vacate and remand, and to amend her motion to vacate and remand. "(Dkt. No. 11, Dkt. No. 12)," Pet. Appendix 2.

Whether the U.S. District Court for the Eastern District of Virginia ("District Court") properly DENIED Plaintiff/Appellant Dora L. Adkins' ("Adkins") "Motion for Leave from the Court to File a Proposed Emergency Complaint," [Dkt. 1] and properly DENIED Plaintiff/Appellant's Application to Proceed in *in forma pauperis*. [Dkt. 2] (Dkt. No. 3), Pet. Appendix 7.

Based on Petitioner's Facts, Proof, and Evidence, the District Court Abused its Discretion when Plaintiff/Petitioner's Motion for Leave from the Court to File an Emergency Complaint ("Motion for Leave") (Dkt. 1) and an Application to Proceed in District Court Without Prepaying Costs or Fees ("IFP Application") (Dkt. 2) were not GRANTED and Plaintiff/Petitioner's Objections to the PROPOSED FINDINGS were OVERRULED Pet. Appendix 7.

- B. Whether the U.S. District Court for the Eastern District of Virginia District Court”) properly DENIED Plaintiff/Appellant Dora L. Adkins’ (“Adkins”) “Motion for Leave from the Court to File a Proposed Emergency Complaint,” [Dkt. 1] and properly DENIED Plaintiff/Appellant’s Application to Proceed in *in forma pauperis*. [Dkt. 2] (Dkt. No. 3), Pet. Appendix 7.**

Based on Petitioner’s Facts, Proof, and Evidence, the District Court Abused its Discretion when Plaintiff/Petitioner’s Motion for Leave from the Court to File an Emergency Complaint (“Motion for Leave”) (Dkt. 1) and an Application to Proceed in District Court Without Prepaying Costs or Fees (“IFP Application”) (Dkt. 2) were not GRANTED and Plaintiff/Petitioner’s Objections to the PROPOSED FINDINGS were OVERRULED.

C. Whether the U.S. District Court for the Eastern District of Virginia (“District Court”) properly OVERRULED Plaintiff/Appellant Dora L. Adkins’ (“Adkins”) Objections and APPROVED and ADOPTED IN FULL the findings Magistrate Judge William E. Fitzpatrick set forth (Dkt.3) and DISMISSED WITH PREJUDICE Plaintiff/Petitioner’s Proposed Emergency Complaint. (Dkt. No. 3), Pet. Appendix 7.

“Plaintiff/Appellant’s Objections to the R&R Required the District Court to **REJECT** the Recommendations made by the magistrate judge because the Recommendations made by the magistrate judge are FALSE and WITHOUT ANY OBJECTIONS from the Defendant/Respondent; and there are no remaining disputes between the two parties. The Report and Recommendation (“R&R”) from Magistrate Judge William E. Fitzpatrick regarding Plaintiff/Appellant’s Motion for Leave from the Court to File an Emergency Complaint (“Motion for Leave”) (Dkt. 1) and an Application to Proceed in District Court Without Prepaying Costs or Fees (“IFP Application”) (Dkt. 2) were not properly OVERRULED to Plaintiff/Appellant’s Objections when the District Court APPROVED and ADOPTED IN FULL the findings of Magistrate Judge Fitzpatrick; and further DENIED and DISMISSED WITH PREJUDICE.

II. APPELLATE REVIEW OF DISTRICT COURT'S RECOMMENDATION:

The District Court erred when it ORDERED that Plaintiff/Petitioner's Motion [Dkt. 1] and her Application [Dkt. 2] be DENIED. It is further erred when it ORDERED that Plaintiff's Motion for Leave (Dkt. 1) and IFP Application (Dkt. 2) are DENIED. AND further ORDERED THAT Plaintiff/Petitioner's Proposed Complaint be and is DISMISSED WITH PREJUDICE. Pet. Appendix 7.

Plaintiff/Petitioner was DENIED Justice because Plaintiff/Petitioner's Objections to Magistrate Judge Fitzpatrick's Report and Recommendation were not GRANTED.

The chemical poisoning of the Plaintiff/Petitioner over a timeframe of 18-YEARS needs to be removed from the Plaintiff/Petitioner's body by being able to live in a home; used aggressive methods for removal of chemicals from the body; and not in the places where the crimes took place, such as inside Plaintiff/Petitioner's vehicle and/or in a hotel.

ARGUMENT

How does any HUMAN BEING survive 18 1/2-CONSECUTIVE YEARS of being Poisoned from Food and Chemicals to a severe and debilitating State of Dying and/or to DEATH and simultaneously filed approximately 45-COMPLAINTS in the COURTS with

Facts, Evidence, and Proof that Food and Chemical Poisoning was the Cause. "The Related Cases," Record PROVIDES SOLID PROOF AND EVIDENCE Plaintiff/Petitioner was poisoned through and/or by the Food Consumed and by Chemicals by the alleged Defendants in the approximately 45-Complaints. There were also approximately 10-12-Food and Chemical Poisoning Complaints of the Plaintiff/Petitioner that Plaintiff/Petitioner NEVER filed in Court; one including an excruciating DEATH to the Plaintiff/Petitioner because Plaintiff/Petitioner could not locate the Registered Agent's information required to file the Complaint and for other reasons the filings did not occurred. Plaintiff/Petitioner will Answer the Question; that is, it is 100% Proof GOD was involved and is still Involved in Plaintiff/Petitioner's life. (See, Related Food and Chemical Poisoning Complaints Typed in Bold Highlight, From List of Related Cases, ii-xxii).

Plaintiff/Petitioner is left with ONLY one active Petition; and ONLY one active Amended Complaint in hopes of seeking Justice in BOTH because the Food and Chemical Poisoning of the Plaintiff/Petitioner continues into 19-Years in October 2023. The Amended Complaint in another Court previously caused ONE of the Most Painful DEATHS because the physical injuries placed Plaintiff/Petitioner into a Dying State for approximately 2-weeks. With the present on-going Food and Chemical Poisoning of the Plaintiff/Petitioner, Plaintiff/Petitioner is WITHOUT the ability to file ANOTHER complaint let alone ANOTHER Petition.

Plaintiff/Petitioner should be Granted both the Petition before this Honorable Court and the Default Judgment before another Court because that is the ONLY way to STOP the FOOD and CHEMICAL POISONING of the Plaintiff/Petitioner from happening.

GOD has to be THANKED for HIS *Devine Interventions*, HIS Non-Stop Love and Protection over the Plaintiff/Petitioner for 18 ½ YEARS of the Chemical and Food Poisoning of Plaintiff/Petitioner's person.

This Petition has moved quickly because the Petition is based on Facts, Proof and Evidence that support an Emergency; otherwise, Petitions takes years to become adjudicated.

The Facts, Proof, and Evidence support that the District Abused its Discretion when Plaintiff's Motion for Leave (Dkt. 1) and IFP Application (Dkt. 2) were DENIED and the Complaint was DISMISSED WITH PREJUDICE.

III. STANDARD OF APPELLATE REVIEW

Abuse of Discretion: The District Court Abused its Discretion when the District Court's did not GRANT the Proposed Emergency Complaint and Plaintiff/Petitioner's Motion for Leave to Proceed in *in forma pauperis* and Plaintiff/Petitioner's Objections to Magistrate Judge William E. Fitzpatrick's Report and Recommendation. (Pet. Appendix 7).

IV. REVIEW IS WARRANTED FOR THE REASONS ARTICULATED IN I, II, III, AND IV OF THIS PETITION

Ms. Adkins has cited compelling reasons warranting this Court's Review of the Fourth Circuit Court of Appeals' Opinion, Dated, February 23, 2023, affirming the District Court Order, Dated, December 16, 2022, is attached as Pet. Appendix 2; Pet. Appendix 7.

Plaintiff/Petitioner is asking this Honorable Court to Vacate and Remand the District Court's ORDER, Dated, December 16, 2023.

CONCLUSION

For the foregoing reasons, the court should grant Dora L. Adkins' Petition For A Writ Of Certiorari To Review The Judgment Of The United States Court of Appeals For The Fourth Circuit.

Dated: August 16, 2023

Respectfully submitted,
DORA L. ADKINS, *Pro Se*
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Merrifield, VA 22116
DoraAdkins7@aol.com

APPENDIX TABLE OF CONTENTS

Per Curiam of the United States Court of Appeals for the Fourth Circuit Unpublished Opinion; Judgment; Temporary Stay of Mandate, Re- hearing and Rehearing <i>En Banc</i> Order; and Mandate	App. 1
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