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No. 23-594

In The
Supreme Court of the United States

CHRISTOPHER M. HUNT, SR.,

Petitioner,

v.

DEUTSCHE BANK TRUST COMPANY AMERICAS,
as Trustee,

Respondent.

**On Petition For Writ Of Certiorari
To The United States Court Of Appeals
For The Eleventh Circuit**

PETITION FOR WRIT OF CERTIORARI

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SUPREME COURT, U.S.

QUESTIONS PRESENTED

1. Conflict concerns the international sovereignty of the United States of America and sovereignty of all U.S. Courts effecting millions of homeowners: which court resolves an irreconcilable conflict of jurisdiction between the federal courts and state courts? Instant case: is a federal court to hold the mandate while investigating fraud and enforce its jurisdiction over state by disregarding its rule "not to disturb state orders" even when nullity and contemptuous to federal courts, or, does the state disregard its unconstitutional rule of no review of a superior court nullity and illegal supersedeas bond obtained by fraud on the courts and is in contempt of federal court jurisdiction?
2. How do federal courts properly enforce jurisdiction and close the legal loophole being premeditately exploited by a white-collar criminal international company (Deutsche) operating illegally in the United States?

NOTE: Motion to Combine/Join filed with instant third Writ with the two requests of Rehearing 23-8 (scheduled 11/17/23) USCA11 and 23-43 from Supreme Court of Georgia so all three combined. Homeowner will be able to hire counsel if Writs are accepted and combined/joined. Honorable Court can resolve the issue that all fifty states attorneys general are being asked to petition Court per Exhibit 1 in accompanying Motion. Unlike *TYLER v. HENNEPIN COUNTY MN* that ended decades of unconstitutional theft by state governments, Court's ruling "ounce of prevention is

QUESTIONS PRESENTED – Continued

worth \$Billions in cure” prevents conflicts of major misuses of state courts and illegal abuse of many homeowners!

3. Is it constitutional for a state to have rule a lone judge can make a ruling that is not appealable or reviewable despite being nullity, illegal, contemptuous to federal courts orders and jurisdiction, violates state Constitution, and enables white-collar felony crime of stealing an entire home of 100% legally correct Home-owner with \$500,000 equity?

LIST OF PARTIES

Petitioner

Rev. Christopher M. Hunt, Sr. Ph.D. Homeowner

Respondent

Deutsche Bank Trust Company Americas Note

CORPORATE DISCLOSURE STATEMENT

Pursuant to Supreme Court Rule 29.6, SPIP Petitioner is an individual, not a corporation with no shares held by a publicly traded company.

RELATED CASES STATEMENT

The proceedings in federal trial and appellate courts identified below are a distinct separate matter concerning the Mandate and Supersedeas effected by jurisdiction per USCA11 22-14225 [DOC and DCN.GA 1:22-1173-MHC-LTW while inseparably related to the 23-3 and 23-43 cases before Court. This Petition for Writ proves by new evidence the needs to rehear 23-3 and 23-43. Mortgagees' state acts of breach fraud, contempt, violations of 28 § 1450 and Rule 3.3, wrongful foreclosure, improper acts in violation to federal court jurisdiction of their Removal, fraud on courts of improper Removal then orchestrated fraud in state courts to destroy Homeowner to moot their acts per of recent filings (see appendix). Nationstar and Deutsche illegally obtained nullity and illegal Supersedeas Bond from a court with no jurisdiction to misuse as a trick

RELATED CASES STATEMENT – Continued

way to overcome TROs against eviction before there is a final, non-appealable order in federal courts. The federal courts are refusing to hold the mandate and review jurisdiction. The powerful multi-state debt collecting attorneys with senior partners in prison have defrauded state court to impose a Supercedeas bond that is the Mandate of instant Writ and proves 23-3 and 23-43. Certiorari is to end conflicts so federal courts will hold a mandate from going back into a state that does not have jurisdiction to forever end the conflict as did *JESINOSKI, TYLER, MALONE, B. P. v. BALTIMORE, ROBINSON!* The Supreme Court of Georgia has what may be a fourth Writ.

TABLE OF CONTENTS

	Page
QUESTIONS PRESENTED	i
LIST OF PARTIES	iii
CORPORATE DISCLOSURE STATEMENT	iii
RELATED CASES STATEMENT.....	iii
TABLE OF CONTENTS	v
TABLE OF AUTHORITIES.....	viii
INTRODUCTION	1
OPINIONS BELOW.....	3
STATEMENT OF ISSUES CANDOR TO TRI- BUNAL AND ALL OTHER LAWS AND RULES APPLY	5
JURISDICTION.....	5
RULE OF PROCEDURE INVOLVED	5
STATEMENT.....	7
REASONS FOR GRANTING THE WRIT.....	9
CONCLUSION.....	11

APPENDIX

United States Court of Appeals for the Eleventh Circuit, Opinion, September 1, 2023	App. 1
United States Court of Appeals for the Eleventh Circuit, Order, March 31, 2023	App. 5
United States District Court for the Northern District of Georgia, Order, April 22, 2022	App. 7

TABLE OF CONTENTS – Continued

	Page
United States District Court for the Northern District of Georgia, Magistrate Judge's Final Report and Recommendation, March 30, 2022	App. 12
Superior Court of Dekalb County, State of Georgia, Excerpt of Emergency Motion to Extend Time of Supersedeas, Emergency Motion to Reconsider Order Granting Supersedeas, Notice of Intent to Appeal, June 21, 2019.....	App. 18
Magistrate Court of Dekalb County, State of Georgia, Judge's Directive, February 2, 2018.....	App. 20
United States District Court for the Northern District of Georgia, Excerpt of Order, October 25, 2017	App. 22
Superior Court of Dekalb County, State of Georgia, Excerpt of Final Order, Judgment, and Writ of Possession, February 28, 2019	App. 24
Superior Court of Dekalb County, State of Georgia, Excerpt of Plaintiff's Response in Opposition to Defendant's Emergency Motion.....	App. 26
Superior Court of Dekalb County, State of Georgia, Excerpt of Brief in Support of Motion for Supersedeas Bond.....	App. 28
United States Court of Appeals for the Eleventh Circuit, Excerpt of Appellant's Motion for Leave to File Additional Supplemental Brief Requesting Appellees Prove Standing in Court with Additional Fraud on Courts, June 23, 2023	App. 30

TABLE OF CONTENTS – Continued

	Page
Excerpt of Exhibit 1 for Appellant's Motion for Leave to File Additional Supplemental Brief Requesting Appellees Prove Standing in Court with Additional Fraud on Courts, June 23, 2023	App. 32
Exhibit 2 for Appellant's Motion for Leave to File Additional Supplemental Brief Requesting Appellees Prove Standing in Court with Additional Fraud on Courts, June 23, 2023 ...	App. 36
United States Court of Appeals for the Eleventh Circuit, Excerpt of Emergency Petition Re-hearing En Banc Concerning Mandate Per Rule 41 and Jurisdiction Certiorari U.S. Supreme Court, October 2, 2023.....	App. 42
United States Court of Appeals for the Eleventh Circuit, Excerpts of Appellant's Reply Brief....	App. 47
United States Court of Appeals for the Eleventh Circuit, Excerpts of Appellee Deutsche Bank Trust Company, Americas as Trustee's Supplemental Brief in Support of Motion to Dismiss Appeal, April 13, 2023	App. 66

TABLE OF AUTHORITIES

	Page
CASES	
<i>BP P. L. C. ET AL. v. MAYOR AND CITY COUNCIL OF BALTIMORE 2021</i>	1, 4
<i>Dever v. Wells Fargo Bank Nat'l Ass'n</i> , 147 So. 3d 1045 (Fla. Dist. Ct. App. 2014).....	10
<i>EDWARD WALLACE v. TINA KELDIE</i>	4
<i>JESINOSKI v. COUNTRYWIDE HOME LOANS, INC.</i> , 574 U.S. 259 (2015)	1, 4, 9
<i>MALONE v. FED. HOME LOAN MORTG.1:14-cv-193</i> , 2016 USCA11 & DCN.GA	1, 4
<i>Marbury v. Madison</i> , 5 U.S. 137 (1803)	2
<i>NATIONSTAR v. BRIAN K. PAYNE, ET AL.</i> , NO. 2017-043 Case No. 16AP185	7
<i>ROBB v. CONNOLLY</i> (1884).....	3, 11
<i>ROBINSON v. NATIONSTAR</i> TDC-14-3667 2021 winning member #FF64929439 class action DCMD.Greenbelt	1
<i>TAFFLIN v. LEVITT</i> , 493 U.S. 455 (1990)	3, 11
<i>TYLER v. HENNEPIN COUNTY, MINNESOTA</i> , et al. No. 22-166. 2023.....	1, 4, 9-11
<i>Yellow Freight System, Incorporated v. Donnelly</i> (1990).....	3, 11
CONSTITUTIONAL PROVISIONS	
Ohio Constitution. Article IV, Section 5(B).....	7

TABLE OF AUTHORITIES – Continued

	Page
STATUTES AND RULES	
28 U.S.C. § 1254(1).....	5
28 U.S.C. § 1450	8
O.C.G.A. § 5-6-46.....	9
O.C.G.A. § 5-6-56.....	3
R.C. 2505.09	7
Real Estate Settlement Procedures Act of 1974 ...	10, 11
Appellate Rule 7(B)	8
Rule 1.7	5
Rule 3.3 Candor to Tribunal	3
Rule 9(a)(B).....	6
Rule 60(b).....	5
Rule 60(b)(4)	6
 ARTICLES	
<i>ABA Journal</i>	1

INTRODUCTION

This is rushed as all-important evidence for Court to have in hand when considering Rehearings 23-3 and 23-43. It is impossible for Homeowner lose home per all new cases supporting Homeowner's original suit granted two TPOs:

JESINOSKI v. COUNTRYWIDE HOME LOANS, INC., 574 U.S. 259 (2015) Timely complaint with proof. *ROBINSON v. NATIONSTAR* TDC-14-3667 2021 winning member #FF64929439 class action DCMD.Green-belt. *MALONE v. FED. HOME LOAN MORTG.* 1:14-cv-193, 2016 USCA11 & DCN.GA Mortgagees breached = cannot enforce. *TYLER v. HENNEPIN COUNTY, MINNESOTA*, et al. No. 22-166. 2023 Homeowner has \$500,000 equity cannot access! *BP P. L. C. ET AL. v. MAYOR AND CITY COUNCIL OF BALTIMORE* 2021 quote of USCA11 filing:

... another of several court rulings supporting Homeowner's original case – sadly proving "Posner: Most judges regard pro se litigants as 'kind of trash not worth the time'" BY DEBRA CASSENS WEISS 9/11/17 ABA Journal Here is chance for Court's redemption from Mortgagee's fraud.

Regrettably Homeowner forced against desires pro se is "(mis)treated like trash." proven by USCA11 accepting Deutsche Supplemental Brief [DOC 37] but denied Homeowner's [DOC 50] all-important request per footnote page 4. If a 100% legally correct minister with a Ph.D. cannot prevail pro se despite excellent filings in

Appendix and exhibits in Motion to Combine, then no one has any more chance for justice than blacks in Dred Scott:

USCA11 Case: 21-10398 (23-3) 08/25/2022
Page: 19 of 66 Long introduction is mandated so Court knows its honor and Canons are at stake:

The words of Chief Justice Marshall in *Marbury v. Madison*, 5 U.S. 137 (1803), must be heeded: "The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection. The government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested right."

Homeowner Removed the Supersedeas that is issue of Mandate to force the federal courts to uphold their jurisdiction and deal with monopoly of fraud on courts per Appendix APPELLANT'S REPLY BRIEF USCA11 Case: 22-14225 [DOC 27] 02/13/2023. New evidence Instant case proves 23-3 and 23-43 per Appendix USCA11 Order [DOC 50 pp. 1-4] 9/1/23 refusal to hold Mandate and in footnote denied the Amended Brief created conflict caused by international white-collar criminal Deutsche which is operating illegally in USA per C-I-P pages 3-4 of [DOC 27] 22-14225 02/13/2023 and did acts in contempt to federal courts jurisdiction

and orders while violating Rule 3.3 Candor to Tribunal defrauding the courts! The Attorneys General need a ruling from this Court. These three writs are irreconcilable conflicts of jurisdiction and **not** concurrent per *YELLOW FREIGHT SYSTEM, INC. v. DONNELLY*, (1990) *TAFFLIN v. LEVITT*, 493 U.S. 455 (1990) and *ROBB v. CONNOLLY* (1884).

OPINIONS BELOW

None of the opinions below are reported. USCA11 refused to hold the mandate, enforce its jurisdiction and investigate the fraud on courts Appendix USCA11 Order [DOC 50 pp. 1-4] affirming the judgment of the DCN.GA. Petitioner “Homeowner” is per Rehearing for 23-8 and 23-43 a stellar senior citizen (www.MLK-StoneMountin.com) with Ph.D. in Theology and MA in counseling. The Homeowner had excellent credit and timely paid his mortgage until, as USCA11 & DCN.GA in previous cases ruled the first Mortgagee breached their contract. Homeowner cannot access \$500,000+ equity to pay counsel due contemptuous, wrongful foreclosure and cannot refinance to pay illegal supersedeas due to state unconstitutional “no review of supersedeas bond” even when nullity and illegal by violating O.C.G.A. § 5-6-56! It is unconstitutional for a lone judge to make a ruling that cannot be appealed or reviewed.

The matter of this Writ’s Mandate concerns contemptuous, illegal \$300,000+ supersedeas that is

paramount to an eviction and violates the Constitution of Georgia for requested jury trial! Instant case is per JESINOSKI, MALONE, TYLER & B.P. P.L.C. with fraud so Deutsch case with all illegally obtained nullity orders voided:

First District Court of Appeal State of Florida
No. 1D17-2877 *Edward Wallace v. Tina Keldie*
June 13, 2018:

Appellant, the plaintiff below, appeals the order dismissing his personal injury suit against Appellee with prejudice for fraud on the court. We find no abuse of discretion in the dismissal of the suit because the record supports the trial court's finding that Appellant fraudulently concealed his history of chronic low back pain by falsely testifying about his medical history during his deposition. Accordingly, we affirm the dismissal order.

From 23-8 and 2343 USCA11 21-10398 09/07/21
P. 20 of 38

Homeowner is confident this Court will regain the Canons mandated honor and confidence by correcting its previous Mortgagees' induced error and will unify all the courts, so the Supreme Court does not have to again as it did in *JESINOSKI* with a ruling of "briefest and most terse", almost rebuke of lower circuit court of appeals and district courts erroneous rulings against homeowner of that case. Remember the DCNG is calling the U.S. Supreme Court, this Court, DCNG Judge Story, DCMG and Maryland Greenbelt and Georgia

OCGA§ so “frivolous” the DCNG never addressed the Homeowner’s Objections and Corrections!

**STATEMENT OF ISSUES
CANDOR TO TRIBUNAL AND
ALL OTHER LAWS AND RULES APPLY**

3.

Homeowner holds the Mortgagees and their counsel to all rules and laws of Candor to the Tribunal, sworn behavior to be allowed to practice law in Federal Courts, oaths to Bar, State of Georgia laws and rules 1.7, etc.

JURISDICTION

Court has jurisdiction pursuant to 28 U.S.C. § 1254(1) per USCA11 Order [DOC 50] 9/01/23.

RULES OF PROCEDURE INVOLVED

Instant case appeals are based on the legal cites and conflicts previously filed 23-3 and 23-43, but distinct in the consequence of continuous compounding “Cat in the Hat” court errors as shown in Appendix that the Supersedeas Mandate has to be held in the federal court of jurisdiction per Rule 60(b).

(b) GROUNDS FOR RELIEF FROM A FINAL JUDGMENT, ORDER, OR PROCEEDING. On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons:

- (1) mistake, inadvertence, surprise, or excusable neglect;
- (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);
- (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;
- (4) the judgment is void;
- (5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or

and

Rule 9(a)(B) a party's authority to sue or be sued in a representative capacity;

(b) FRAUD OR MISTAKE; CONDITIONS OF MIND. In alleging fraud or mistake, a party must state with particularity the circumstances constituting fraud or mistake. Malice, intent, knowledge, and other conditions of a person's mind may be alleged generally.

(f) TIME AND PLACE. An allegation of time or place is material when testing the sufficiency of a pleading.

STATEMENT

This is no minor conflict confined to Georgia. It is national as all fifty state Attorneys General involved. Even same party instant cases Mortgagees Nationstar proves in Ohio case *NATIONSTAR v. BRIAN K. PAYNE, ET AL.*, NO. 2017-043 Case No. 16AP185 admitting conflict:

Second, assuming there is any applicable court rule that was intended to trump the statutory bond requirement, interpreting and applying the rule to deny an appellee of its substantive rights (even if temporarily) would violate the Ohio Constitution. Article IV, Section 5(B) of the Ohio Constitution provides that court rules “shall not abridge, enlarge, or modify any substantive right.” Denying an appellee its judgment rights (even if only while an appeal is pending) without security is not merely a matter of “practice and procedure” under Article IV, Section 5(B) of Ohio’s Constitution which could take precedence over a conflicting statute. Instead, a stay abridges a judgment holder’s substantive judgment rights by preventing it from enforcing or enjoying its judgment rights. Moreover, R.C. 2505.09 creates a separate substantive right to a bond as security if the appellee’s judgment rights are to be suspended. It would

be unconstitutional to apply Appellate Rule 7(B), or any other court rule, as enabling the abridgement or modification of a party's substantive judgment or bond rights. A bond is necessary.

Instant case Mortgagees already had illegally obtained title to house via violation of 28 U.S.C. § 1450 in contempt of state TRO and in contempt of Federal Court jurisdiction foreclosure so was holding excessive security \$500,000+ equity! It is impossible for Homeowner to get an unbiased legally sound ruling from DeKalb county courts per affidavit by a court expert who has witnessed judges misbehavior in a county so corrupt the sheriff elect who ran on platform to clean up corruption was murdered by incumbent sheriff and the Homeowner had to get the state representative of judicial ethics to investigate judges misconduct so egregious they were ordering court reporters to alter transcripts to prevent appeal of illegal orders. When state representative over judicial ethics could not get the second judge removed, he was so enraged at compromised to ineffectual previous JQC that he got voters to disband the entire JQC and reform it! This proves citizens need this honorable Court's intervention to cure conflicts of both the status quo of federal courts not getting involved in state rulings even when in contempt of federal court jurisdiction vs. state appeals courts "not disturbing superior court judges exclusive right to impose Supersedeas bonds" even if first breach, nullity no jurisdiction, contempt, fraudulently inflated so de facto evictions, etc. State courts must allow expedient appellant court review of supersedeas

bonds to make sure fair and legally sound. Suggestion is if Supercedeas is contested then appellant pays a fee for a forensic real estate appraiser to determine property value and another state judge rule on legitimacy of Supersedeas thereby alleviating burden on appeals courts while still providing Constitutional justice in state courts and fulfilling O.C.G.A. § 5-6-46:

When the judgment determines the disposition of the property in controversy as in real actions, trover, and actions to foreclose mortgages and other security instruments, or when such property is in the custody of the sheriff or other levying officer, or when the proceeds of such property or a bond for its value are in the custody or control of the court, the amount of the supersedeas bond or other form of security shall be fixed at such sum only as will secure the amount recovered for the use and detention of the property, the costs of the action, costs on appeal, interest, and damages for delay.

REASONS FOR GRANTING THE WRIT

The homeowner had appealed the supersedeas and mandate into the correct jurisdiction of USCA11 but federal courts have refused to intervene and uphold federal court jurisdiction by holding mandate. There is no case cites how to resolve current conflict of jurisdiction due to federal courts pointing at state and state pointing at federal courts. This is much worse than *JESINOSKI, TYLER*, etc.!

Ruling requested is join and combine with 23-8 and 23-43 to resolve all conflicts and instruct court to expand *TYLER*:

1. In questions of jurisdiction per 23-3 and 23-43 Federal Courts must uphold its jurisdiction over the state when federal jurisdiction is questioned/violated. States cannot claim jurisdiction on even concurrent matters without first obtaining a federal court's ruling on jurisdiction.
2. A mortgage company cannot misuse foreclosure to benefit from all the homeowner's additional equity and appreciation. *Dever v. Wells Fargo Bank Nat'l Ass'n*, 147 So. 3d 1045 (Fla. Dist. Ct. App. 2014) does very little in providing relief from equity destroying foreclosure sales.

There needs to be a forensic appraisal of house before foreclosure that courts recognize, and homeowners receive equity overage of debt from mortgage companies and/or party that buys the home after homeowner gives title in lieu of foreclosure. This would force mortgage companies to ethically work with homeowners to save their homes instead of being incentivized to foreclose in violation of predatory lending and usury interest laws. Instant case Homeowner never defaulted but Mortgagees breached then greedy to steal equity violated Real Estate Settlement Procedures Act of 1974 (RESPA) and federal court jurisdiction! This ruling will help everyone.

CONCLUSION

For the foregoing reasons, Court should grant this petition for a writ of certiorari and join and combine 23-8 and 23-43. All fifty states attorneys general need a ruling to act. Homeowner will be able to hire an attorney.

1. There is a clear mandate for federal courts to uphold its jurisdiction over state per *YELLOW FREIGHT SYSTEM, INCORPORATED v. DONNELLY*, (1990) *TAFFLIN v. LEVITT*, 493 U.S. 455 (1990) and *ROBB v. CONNOLLY* (1884) to resolve irreconcilable conflicting jurisdiction between federal and state courts on non-concurrent matters.
2. there is national standard of emergency review by state appellant courts solely of legality and appropriateness of Supersedeas Bonds since the outcome of such bonds a paramount to an eviction and economically destroyed before receiving justice in appeal.
3. Homeowner's equity is protected per *TYLER* and mortgage companies incentivized to work with homeowners instead of incentivized to violate RESPA laws to steal homes.

Respectfully submitted,

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APPENDIX TABLE OF CONTENTS

	Page
United States Court of Appeals for the Eleventh Circuit, Opinion, September 1, 2023	App. 1
United States Court of Appeals for the Eleventh Circuit, Order, March 31, 2023	App. 5
United States District Court for the Northern District of Georgia, Order, April 22, 2022	App. 7
United States District Court for the Northern District of Georgia, Magistrate Judge's Final Report and Recommendation, March 30, 2022	App. 12
Superior Court of Dekalb County, State of Georgia, Excerpt of Emergency Motion to Extend Time of Supersedeas, Emergency Motion to Reconsider Order Granting Supersedeas, Notice of Intent to Appeal, June 21, 2019.....	App. 18
Magistrate Court of Dekalb County, State of Georgia, Judge's Directive, February 2, 2018.....	App. 20
United States District Court for the Northern District of Georgia, Excerpt of Order, October 25, 2017	App. 22
Superior Court of Dekalb County, State of Georgia, Excerpt of Final Order, Judgment, and Writ of Possession, February 28, 2019	App. 24
Superior Court of Dekalb County, State of Georgia, Excerpt of Plaintiff's Response in Opposition to Defendant's Emergency Motion.....	App. 26