

FILED
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OFFICE OF THE CLERK
SUPREME COURT, U.S.

No. 23 - 6228

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

BARBARA BURKS WILLIAMS, Pro-Se — PETITIONER

(Your Name)

MARK VESS "et al" BUSTORS PAWN SHOP #1

FRED LANE "LANES'S AUTOMOTIVE #2

TAMMY LANE #3 — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

THE SUPREME COURT OF ALABAMA

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

300 Dexter Ave. Montgomery, Al. 36104

PETITION FOR WRIT OF CERTIORARI

BARBARA BURKS WILLIAMS

(Your Name)

1302 SUNFLOWER CT.

(Address)

LOCUS GROVE GEORGIA 30248-3173

(City, State, Zip Code)

678-575-4000

(Phone Number)

Question (s) Presented

1. Why wasn't the Due Process of the law applied in any of the Court case?
2. Why didn't the Court system in Alabama allow the case to be transferred to the State of Georgia when Petitioner asked?
3. Why did the State of Alabama turn over a \$60,000.00 brand new truck to the Respondent without proof of ownership?
4. Why didn't any of the Court system send and paper work to the Petitioner?
5. Why did it take 2 years and 5 months just to see the Judge?
6. Why didn't any of the Courts seize the vehicle after Petitioner showed them that the vehicle was still in Probate, and belong in the State of Georgia?
7. Why didn't the Courts honor the request of Petitioner that the vehicle be seized, and impounded until the rightful owner has been located?
8. How did Respondent, Mark Vess get the truck without a title?
9. Why didn't Respondent, Mark Vess show up for any Court dates?
10. Why did Respondent, Mark Vess fail to plead or otherwise defend his action in the Court of Law?
11. Why didn't the Judge enter a Default Judgment against Respondent Mark Vess after Petitioner filed two Motions, for Mark Vess for (FTA) failure to appear?
12. Why wasn't Rule 55(b) (2) Federal Rules of Civil Procedure upheld in any of the Court Systems in Alabama?
13. Why wasn't Petitions evidence use in any of the proceeding?
14. Why wasn't this case turned over to the District Attorney for prosecution?

15. Wasn't the Court empowered to enter a default judgment against the Respondent, Mark Vess for relief sought?
16. Why did Respondent, Mark Vess take a Bill of Sale for a 2014, Chevrolet Silverado Pick Up, it must be sold with a title only.
17. Who made out the Bill of Sale to Respondent, Mark Vess with no Notary or Witness?
18. Who sold Respondent, Mark Vess a 2014 Chevy truck with no title?
19. How much did Respondent, Mark Vess pay for the truck?
20. Can the Petitioner get a copy of the Court Order Bill of Sale for the truck?
21. Why didn't Respondent, Mark Vess call the Police to have vehicle Impounded, and notify the owner sooner.
22. Why did Respondent, Mark Vess hide the truck for 1 year 4 months and 16 days in his garage?
23. How much did Respondent, Mark Vess pay the Lane's to process and sale him the truck?
24. Did the Respondent, Mark Vess and the Lane,s turned over the overages to the State of Alabama Department of Revenue by law?

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

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:

RELATED CASES

Supreme Court of Alabama SC-2023-0022 & 0105
Opinion: Judgment Entered July 7th, 2023
Barbara Burks Williams vs Mark Vess, Bustor's Pawn Shop#1
Fred Lane "Lane's Automotive"#2
Tammy Lane#3

Montgomery Court of Civil Appeal CL-2022-1169 & 1229
Opinion: Judgment Entered January 17th, 2023 & February 13th, 2023
Barbara Burks Williams vs Mark Vess, Bustor's Pawn Shop#1
Fred Lane Lane's Automotive#2
Tammy Lane#3
Case Transfer to Alabama Supreme Court

Circuit Court of Madison County CV-2021-000050.00
Opinion: Judgment Entered November 10th, 2022 & December 8th, 2022
Barbara Burks Williams vs Mark Vess, Bustor's Pawn Shop#1
Fred Lane Lane's Automotive#2
Tammy Lane#3

Circuit Court of Madison County CV-2021-900144.00
Opinion: Judgment Entered March 2nd, 2021
Barbara Burks Williams vs Mark Vess, Bustor's Pawn Shop#1
Fred Lane Lane's Automotive#2
Tammy Lane#3
Order Case Dismissed

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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[X] For cases from **federal courts:**

The opinion of the United States court of appeals appears at Appendix ^B to the petition and is
[X] reported at 01-17-2023 & 02-14-2023; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the United States district court appears at Appendix ^A to the petition and is
[X] reported at 07-07-2023; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

[] For cases from **state courts:**

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is
[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is
[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

JURISDICTION

[X] For cases from federal courts:

The date on which the United States Court of Appeals decided my case was 01-17-23 & 02-13-23.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____; and a copy of the order denying rehearing appears at Appendix _____.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

I Barbara Burks Williams would like to invoke Rule 12.4 in my Petition because two or more judgments are sought to be reviewed on a writ of certiorari to the same court and involve identical or closely related questions, a single petition for a writ of certiorari covering all the judgments suffices.

[X] For cases from state courts:

The date on which the highest state court decided my case was 07-07-2023.
A copy of that decision appears at Appendix A.

A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

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

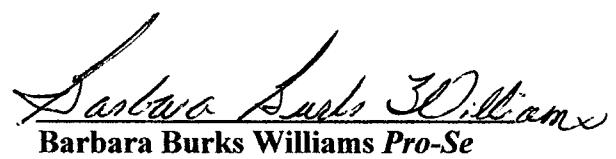
CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED

Due Process Clause is found in both the Fifth and Fourteenth Amendments to the United States Constitution, which prohibit the deprivation of "life, liberty, or property" by the federal and state governments, respectively, without due process of law.

The 5th Amendment It also requires that "due process of law" be part of any proceeding that denies a citizen "life, liberty or property" and requires the government to compensate citizens when it takes private property for public use.

The 7th Amendment of the Constitution says that Civil Cases, or Law suites base on disagreement between people or business have the right to be decided by Jury in Federal Court.

The 11th Amendment Courts has no power or right to hear case and make decisions against a State if it is sued by the Citizen of another State, or someone who lives in another Country:



Barbara Burks Williams
Barbara Burks Williams Pro-Se

STATEMENT OF THE CASE

The Appellant brought this case against the Appellee's on June 8th, 2021. The case has never went to trial and the Appellee's has never showed up to answer the Appellant complaint. It took almost two years and five months to even talk to the Court because Appellant is not an attorney. The Court would even respond to Appellant request, after calling the Court on numerous occasions, and writing a request for a trial.

Appellant seeks relief and monetary damages, against each of the parties in this case, and the return of the 2014 Chevy Silverado Pick Up to her home in Georgia.

Appellant was having a hard time convincing Appellee's to return the vehicle back to her, because he could not show any proof that he owned the vehicle. But the vehicle was still listed in Appellant's brother name, in the dash was a copy of the insurance card, vehicle registration, and had a current tag on the unit.

Appellee's had the truck in 2019 and was using it as his personal own truck. Appellee's had the truck for 1 year 4 months and 16 days and did not notify the owner of the vehicle location that it was on his property in Alabama.

When Appellant took the Inventory of the truck miles it had 70,000 miles on it, and was in mint condition, not a starch on it, and immaculate. This truck were not to be used as a work truck, but only in leisure.

After not being able to obtain a title, Appellee,s turned to Fred and Tammy Lane for a fee to use Alabama Abandonment Law Code Section 32-13-3 to take the truck, knowing that there was a legal owner out there looking for the truck.

Appellee had the truck in 7/2019 and didn't get the title until 11/18/2020, through

Alabama Abandonment Laws. But he was not suppose to get a title, because State of Alabama has a 60 day hold on any Court order title. Appellee should not have gotten a title on that unit. Appellant called the DMV and they told her that the Judge has to make a ruling on the title. But the title must be voided out because it did not meet the 60 day hold. The title must be placed back in the true owner's name.

The Appellee's has Appellant brother's 2014 Chevy Silverado housed in the back of his garage, waiting on the Appellee's #2,#3, to help him take the truck through Alabama Abandonment Law.

The Petitioner brought this case against the Respondent's on June 8th, 2021. This case has been in Alabama for almost 5 years, and Appellant or Respondent has yet appeared in a Court room to answer any of the charges face to face.

These three Respondent #1,#2,#3 took a 2014 Chevrolet Pick-Up and used the Alabama Abandonment law to illegal take a vehicle that belongs to the Estate of Roberto Bennett in Georgia.

The Respondent's took the vehicle across Georgia State line and hide it out at the Respondent Mark Vess Pawn Shop in Huntsville Alabama with the intent of having the Lane's to process it under Alabama Abandonment Law to obtain an illegal title.

The Petitioner got a certified letter in the mail and call Respondent Tammy Lane about the truck, Petitioner asked her to return the vehicle back because it was still in Probate in Georgia, and Petitioner was the Executrix of the Estate has been looking for the vehicle for almost a year and a half.

Respondent Tammy Lane gave Petitioner the number to Mark Vess business.

Petitioner placed a called to his business and finally got him and spoke for almost 16 minutes, and Petitioner explained to him that her brother is deceased and that Mark Vess has his vehicle, for one year, four months, sixteen days, and asked him to return it back to Georgia, and it's not to be sold. Everything Petitioner told Vess he did not care, he then tried to Extort over \$12,000.00 from Petitioner, to pay the bill to get the truck back.

Petitioner, then explained the law under Abandonment, in the State of Alabama, and again ask that Respondent return the vehicle. Respondent Vess told Petitioner that it would be sold on November 18th, 2020, at a Public Auction. Petitioner told Mark Vess that he and the Lane's has file fraudulent paperwork through the State of Alabama and took the vehicle.

Petitioner told Respondent, Mark Vess of every law that he and the Lane's has broken in the State of Alabama. Respondent claim that they did not know the owner of the vehicle or where it came from.

How was the Respondent, Mark Vess going to explain owning a \$60,000.00 truck that was sold to Mark Vess only on paper to get a title, and no Public Auction.

The Respondents has defrauded the State of Alabama as well as the Petitioner. Per the law on Abandonment vehicle all of the monies that went over the price of the sale of a vehicle should be turned into Alabama Department of Revenue.

The truck was sold to Respondent, Mark Vess on November 18th, 2020, even after Petitioner called him before that sale date and ask that he return the vehicle.

Respondent, Mark Vess got a title for the vehicle 21 days later on December 9th, 2020 which is a violation of the Abandonment law, and that title must be cancel out and

would not be almost \$12,000.00 for 4 days for the unit.

Fred and Tammy Lane Defendant #2 and #3, and Mark Vess, Defendant #1 should be brought up on charges for defrauding the State of Alabama and conspiracy to a crime under Code Section:

4. On October 28th, 2020 Mrs. Williams called Fred & Tammy Lane to stop the Sale of the vehicle on a recorded conversation with Tammy Lane who she said was recording the conversation as well. Mrs. Williams spoke Tammy Lane at 12:38pm for 15min and 22sec., Mrs. Lane called Mrs. Williams every name that she could think of before she found out that the truck that she fraudulent file paperwork on with a different address did belong to Mrs. Williams brother's Estate that is still open. Tammy Lane , Defendant #3 stated that she did the paperwork on Mrs. Williams brother truck for Mark Vess of Buster's Pawn Shop and that the vehicle was not at her location, but at Buster's Pawn Shop hidden in a garage by Mark Vess, in the back of the garage out of sight. Tammy stated that it's a very very nice truck, and Mark Vess want her to do the paperwork and take the truck for his personal use.

Tammy Lane stated to Mrs. Williams that she was stopping the Sale on the truck, and canceling the Court order as they were speaking on the phone as of October 28th, 2020. Tammy Lane then gave Mrs. Williams the number to Buster's Pawn Shop, and stated that she will be calling Mark Vess to stop the Sale on the truck.

5. On October 28th, 2020 Mrs. Williams placed a call to the number that Tammy Lane given her to Mark Vess, the phone kept hanging up.

6. On October 30th, 2020 Mrs. Williams placed another called to Mark Vess of

old with a peace of paper it must be with a State title or Power of Attorney from that person.

On or about November 18th, 2020, Mark Vess, Fred Lane, & Tammy Lane, went ahead with the sale to Mark Vess, Mrs. Williams brother truck. All parties in this complaint should be charged with a Felony under the State of Alabama under this code section:

(A) Alabama Code 13A-8-11. Unauthorized use of vehicle; unlawful breaking and entering a vehicle. (a) A person commits the crime of unauthorized use of a vehicle if: Terms Used In Alabama Code 13A-8-11. Felony: A crime carrying a penalty of more than a year in prison.

(B) Having custody of a propelled vehicle pursuant to an agreement with the owner thereof whereby it is to be returned to the owner at a specified time, he knowingly retains or withholds possession thereof, without the consent of the owner, for so lengthy a period beyond the specified time as to render the retention or possession a gross deviation from the agreement.

(C) AL Code § 13A-8-21 (2018) Section 13A-8-21 Bringing into state property obtained by false pretense elsewhere. Any person who brings or causes to be brought into this state any money or other personal property obtained from another by any false pretense, with intent to defraud, shall, on conviction, be punished as if he had stolen the same.

(D) Extortion (Alabama Code 13A-8-13) is committed when a person knowingly obtains by threat control over the property of another, with intent to deprive him of the property. Extortion in the first degree (Alabama Code 13A-8-14): Extortion by means of

back in 2019.

Mark Vess has concealed the unit since 2019 hidden in Buster's Pawn Shop, and trying to transfer the title through the State of Alabama under the abandon vehicle law Section 32-8-36, Code of Ala. 1975 and 32.13-9 & 32-13-10.

Mrs. Williams is seeking the recovery of her brother property, to be return back to her home with both set of keys as soon as possible, before it becomes damaged by Mark Vest. The vehicle belong to the Estate of Mr. Roberto Bennett, and asking that the Court of Alabama Seizure of this unit for safe keeping until the rightfully ownership has been establish by the State of Alabama Court System.

A handwritten signature in black ink, appearing to read "Barbara Burks Williams". The signature is fluid and cursive, with "Barbara" and "Williams" being the most clearly legible parts.

Barbara Burks Williams, *Pro-Se*

REASON FOR GRANTING THE PETITION

Petitioner has been fighting these cases since 2019, going into the fifth (5) year with no result. Petitioner has proven above and beyond all evidence that the Respondent, Mark Vess had no reason to be in possession of the 2014 Chevy Silverado belonging to Petitioner brother Mr. Roberto Bennett.

Right now Petitioner money has ran out trying to keep up with the cost of leaving, and the Court system in another State. Petitioner is living on 100% disability, and only have limit use of hands and feet trying to Appeal this case.

Petitioner is asking that the United State Supreme Court take a close look at this request and the case, and grant Petitioner a Writ to continue her fight. Petitioner will be more than happy to pay the Court back over a period of time if possible.

With Utmost Respect,

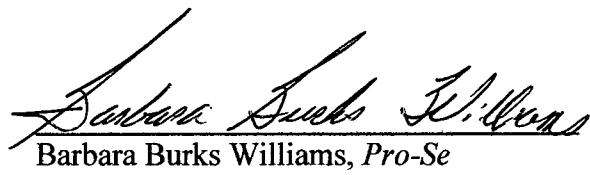


Barbara Burks Williams
Barbara Burks Williams Pro-Se

- B. A person in violation of subsection (a) commits a Class C felony.
- C. A person, whether present or absent, who aids, abets, induces, procures, or cause the commission of an act in violation of subsection (a) commits a class C felony.

I'm asking The United State Supreme Court to honor my request, and grant me
the writ of Certiorari

Respectfully Submitted:



Barbara Burks Williams
Barbara Burks Williams, Pro-Se

This 6th, day of December 2023