

No.: 23-6426

IN THE
SUPREME COURT OF THE UNITED STATES OF AMERICA

Leonard Nyamusevya

Petitioner,

v.

CitiMortgage, Inc., et al.

Respondents.

Supreme Court, U.S.
FILED

MAR 18 2024

OFFICE OF THE CLERK

**PETITION FOR REHEARING UNDER RULE 44 FOR
THE 03/04/2024, INADVERTENT AND MISTAKEN DENIAL OF CERTIORARI.**

- * **Lower Ohio Supreme Court Case No. 2023-GEN-0771**
- * **Lower 10th District Court of Appeals Case No. 2022-AP-000464**
- * **Lower Franklin County, Ohio Court of Common Pleas Case No. 2010-CV-09-13480**

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NOW COMES Leonard Nyamusevya, (hereinafter “Petitioner”) and hereby respectfully and timely files in the Supreme Court of the United States of America his Petition for Rehearing of the 03/04/2024, decision denying certiorari in Case No. 23-6426 in the U.S. Supreme Court, which was docketed on January 08, 2024. On 03/04/2024, the intervening record of the U.S. Supreme Court shows that the 14th Amendment to the U.S. Constitution was partially and favorably enforced and articulated in the U.S. Supreme Court’s unanimous decision in *Donald J. Trump, Petitioner v. Norma Anderson, et al.* 601 U. S. __ (2024), which was decided on 03/04/2024, for litigation finality in Case No. 23–719, and not in Petitioner’s Case No. 23-6426, which lacks any litigation finality, until the U.S. Supreme Court grants certiorari in Case No. 23-6426, to enforce the Ohio and U.S. Constitutions and existing American federal and state laws.

The U.S. Supreme Court’s grant of certiorari would advance the interests of justice and equal treatment and judicial economy and litigation finality by issuing a decision with a preclusive effect. The lower Courts’ judgments and Orders are void *ab initio* and were entered unlawfully and unconstitutionally and fraudulently in violation of the Ohio and U.S. Constitutions and existing American federal and state laws; and are based on the invalid and unconstitutional and unlawful and fraudulent Supplemental Final Judicial Report, which was never enacted into law by the Ohio Legislature and the U.S. Congress and which is not provided under O.R.C. § 2329.191(B)(7); and are in violation of 11 U.S.C. § 524(a) and Fed. R. Bankr. P. 9011 and Rule 3001(c)(1). The lower Courts’ judgments and Orders are void *ab initio* and were procured by fraud, and can be attacked at any time, in any Court, either directly or collaterally, provided that Petitioner is properly before a Court of competent jurisdiction, see *Long v. Shorebank Development Corp.*, 182 F.3d 548 (C.A. 7 Ill. 1999); and from their inception, were a complete nullity and without legal effect. See *Lubben v. Selective Service System Local Bd. No. 27*, 453 F.2d 645, 14 A.L.R. Fed. 298 (C.A. 1 Mass. 1972).

Hence, the U.S. Supreme Court should grant this Petition for Rehearing, to reach a litigation finality in this instant Case, because the lower Courts’ judgments and Orders are void *ab initio* for being in violation of the Ohio and U.S. Constitutions and existing American federal and state laws, not limited to being in violation of 11 U.S.C. § 524(a) and 11 U.S.C. § 1326(c) and 11 U.S.C. § 727(a) and Fed. R. Bankr. P. 9011 and Rule 3001(c)(1) and O.R.C. § 2329 and O.R.C. § 2329.02 and O.R.C. § 2329.191(B)(7) and the 5th and 8th and 14th Amendments to the U.S. Constitution.

APPLICABLE RULE

In this instant first impression Case where an invalid and unconstitutional Supplemental Final Judicial Report was used against Petitioner to preclude and suppress and extinguish and vacate and nullify and ignore the Ohio and U.S. Constitutions and existing federal and state laws, not limited to 11 U.S.C. § 524(a) and 11 U.S.C. § 1326(c) and 11 U.S.C. § 727(a) and Fed. R. Bankr. P. 9011 and Rule 3001(c)(1) and O.R.C. § 2329 and O.R.C. § 2329.02 and O.R.C. § 2329.191(B)(7) and the 5th and 8th and 14th Amendments to the U.S. Constitution, presents a question of national importance to be resolved and disposed by the U.S. Supreme Court; hence, for these reasons, this instant Case easily satisfies the U.S. Supreme Court’s established criteria for granting certiorari under Rule 10. The U.S. Supreme Court’s granting of certiorari is the only vehicle to reach litigation finality in this instant Case. Rule 44 is applicable for the filing of this petition for the rehearing of the 03/04/2024, order denying Petitioner’s fully supported and meritorious petition for a writ of certiorari. Pursuant to the U.S. Supreme Court’s own Rules of Practice, Rule 44.1 and 2 provides in pertinent part as follows:

Rule 44.1:

1. The petition shall state its grounds briefly and distinctly and shall be served as required by Rule 29. The petition shall be presented together with certification of counsel that it is presented in good faith and not for delay;....

Rule 44.2:

2. Any petition for the rehearing of an order denying a petition for a writ of certiorari or extraordinary writ shall be filed within 25 days after the date of the order of denial and shall comply with all the form and filing requirements of paragraph 1 of this Rule..., but its grounds shall be limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented... The petition shall be presented together with certification of counsel or of an unrepresented party that it is restricted to the grounds specified in this paragraph and that it is presented in good faith and not for delay... The Clerk will not file a petition without a certificate.

3. ... In the absence of extraordinary circumstances, the Court will not grant a petition for rehearing without first requesting a response.

For an appellate discretionary jurisdiction on writ of certiorari, Rule 10 is applicable in this Case for the granting of Petitioner's fully supported and meritorious petition for a writ of certiorari. Pursuant to the U.S. Supreme Court's own Rules of Practice, Rule 10: Considerations Governing Review on Certiorari provides in part as follows:

Review on a writ of certiorari is not a matter of right, but of judicial discretion. A petition for a writ of certiorari will be granted only for compelling reasons. The following, although neither controlling nor fully measuring the Court's discretion, indicate the character of the reasons the Court considers:

(a) a United States court of appeals has entered a decision in conflict with the decision of another United States court of appeals on the same important matter; has decided an important federal question in a way that conflicts with a decision by a state court of last resort; or has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power;

(b) a state court of last resort has decided an important federal question in a way that conflicts with the decision of another state court of last resort or of a United States court of appeals;

(c) a state court or... has decided an important question of federal law that has not been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court.

A petition for a writ of certiorari is rarely granted when the asserted error consists of erroneous factual findings or the misapplication of a properly stated rule of law.

Upon the entry of Petitioner's 11/21/2019, Bankruptcy Court Injunction Order of Discharge under 11 U.S.C. § 727(a) in Petitioner's 05/01/2019, Bankruptcy Case No. 2:19-bk-52868; hence, for litigation finality in State Courts, 11 U.S.C. § 524(a)(1) automatically voided *ab initio* at any time obtained retroactively *pre-discharge* and *post-discharge in personam* State Courts' judgments and Orders. 11 U.S.C. § 524(a)(1) was invoked in the petition for certiorari and is applicable in this instant Case for litigation finality. The U.S. Supreme Court had established that when statutory language is plain, and nothing in the Act's structure or relationship to other statutes calls into question this plain meaning, that is ordinarily "the end of the matter." *Chevron U. S. A. Inc. v. Natural Resources Defense Council, Inc.*, 467 U. S. 837, 842 (1984). 11 U.S.C. § 524(a): Effect of Discharge provides in pertinent part as follows:

(a) A discharge in a case under this title—

(1)

voids any judgment at any time obtained, to the extent that such judgment is a determination of the personal liability of the debtor with respect to any debt discharged under section 727,... or 1328 of this title, whether or not discharge of such debt is waived;

(2)

operates as an injunction against the commencement or continuation of an action, the employment of process, or an act, to collect, recover or offset any such debt as a personal liability of the debtor, whether or not discharge of such debt is waived; and

O.R.C. § 2329.02: Judgment lien - certificate of judgment provides in part as follows:

No such judgment or decree shall be a lien upon any lands,... until a **CERTIFICATE** under the hand and official seal of the clerk of the court in which the same is entered or of record,... **is [first] filed and NOTED IN THE OFFICE OF THE COUNTY RECORDER of the county in which the land is situated**, and a memorial of the same is entered upon the register of the last certificate of title to the land to be affected.

Fed. R. Bankr. P. 9011 provides in pertinent part as follows:

(a) **SIGNATURE.**

Every petition, pleading, written motion, and other paper, except a list, schedule, or statement, or amendments thereto, shall be signed by at least one attorney of record in the attorney's individual name. A party who is not represented by an attorney shall sign all papers. Each paper shall state the signer's address and telephone number, if any. An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the attorney or party.

(b) **REPRESENTATIONS TO THE COURT.**

By presenting to the court (whether by signing, filing, submitting, or later advocating) a petition, pleading, written motion, or other paper, an attorney or unrepresented party is **certifying that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances,—**

(1) it is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;

(2) the claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law...

(3) the allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; and...

Fed. R. Bankr. P. 3001(c) provides in pertinent part as follows:

(c) SUPPORTING INFORMATION.

(1) *Claim Based on a Writing*. Except..., **when a claim, or an interest in property of the debtor securing the claim, is based on a writing, a copy of the writing shall be filed with the proof of claim.** If the writing has been lost or destroyed, a statement of the circumstances of the loss or destruction shall be filed with the claim.

(2) *Additional Requirements in an Individual Debtor Case; Sanctions for Failure to Comply*. In a case in which the debtor is an individual:

(D) If the holder of a claim fails to provide any information required by this subdivision (c), the court may, after notice and hearing, take either or both of the following actions:

(i) PRECLUDE THE HOLDER FROM PRESENTING THE OMITTED INFORMATION, IN ANY FORM, AS EVIDENCE IN ANY CONTESTED MATTER OR ADVERSARY PROCEEDING IN THE CASE, UNLESS THE COURT DETERMINES THAT THE FAILURE WAS SUBSTANTIALLY JUSTIFIED OR...

GROUND FOR REHEARING

1) The 03/04/2024, U.S. Supreme Court's order ignore and disregard Petitioner's secured and guaranteed U.S. Constitutional rights.

2) The 03/04/2024, U.S. Supreme Court's order is in violation of the Ohio Constitution and the 5th and 8th and 14th Amendments to U.S. Constitution.

3) The 03/04/2024, U.S. Supreme Court's order ignored and is "against" its Rule 10.

The Ohio and U.S. Constitutions prevent the confiscation and deprivation of Petitioner's wholly satisfied real property; hence, rehearing should be granted for certiorari to issue to allow the U.S. Supreme Court to enforce them to achieve the litigation finality in this Case. Without certiorari this Case cannot reach finality of litigation because void judgments are subject to attacks. The evidentiary facts and Courts' records factually substantiate that Petitioner's wholly paid off real property was permanently deprived and confiscated; and that he was granted his 11/21/2019, Bankruptcy Court Injunction Order of Discharge, which automatically voided *ab initio* all the lower Courts' judgments and Orders at any time obtained under 11 U.S.C. § 524(a)(1). Pursuant to Rule 44.2, the intervening circumstances of a substantial or controlling effect are as follows:

The 03/04/2024, U.S. Supreme Court's order ignored its own 03/04/2024, precedent, which unanimously established a uniformity that Section 1 of the 14th Amendment to the U.S. Constitution bars the State of Ohio from depriving Petitioner of life, liberty, or property, without due process of law or denying to Petitioner . . . the equal protection of the laws.

On 03/04/2024, the intervening record of the U.S. Supreme Court shows that the 14th Amendment to the U.S. Constitution was “partially and favorably” enforced and articulated in the U.S. Supreme Court’s unanimous decision in *Donald J. Trump, Petitioner v. Norma Anderson, et al.* 601 U. S. ___ (2024), which was decided on 03/04/2024, for litigation finality in Case No. 23–719, and not in Petitioner’s Case No. 23-6426, which lacks any litigation finality, because the U.S. Supreme Court’s 03/04/2024, decision denying certiorari in Case No. 23-6426 is subject to direct attacks for suppressing and denying Petitioner’s guaranteed and secured U.S. Constitutional due process and the equal protection under the law rights to be heard and to defend and to vindicate in this highest U.S. impartial Court of last resort and before impartial justices. In this instant Case in his petition for a writ of certiorari, the U.S. Supreme Court should not ignore that Petitioner alleged and invoked the Ohio and U.S. Constitutions and the 5th and 8th and 14th Amendments to the U.S. Constitution. Pursuant to Rule 44.2, the intervening circumstances of a substantial or controlling effect was established on 03/04/2024, by the U.S. Supreme Court’s unanimous decision in *Donald J. Trump, Petitioner v. Norma Anderson, et al.* 601 U. S. ___ (2024), Case No. 23–719. Decided on March 4, 2024, as follows:

Proposed by Congress in 1866 and ratified by the States in 1868, the Fourteenth Amendment “expand[ed] federal power at the expense of state autonomy” and thus “fundamentally altered the balance of state and federal power struck by the Constitution.” *Seminole Tribe of Fla. v. Florida*, 517 U. S. 44, 59 (1996); see also *Ex parte Virginia*, 100 U. S. 339, 345 (1880). Section 1 of the Amendment, for instance, bars the States from “depriv[ing] any person of life, liberty, or property, without due process of law” or “deny[ing] to any person . . . the equal protection of the laws.”

“If it is not necessary to decide more to dispose of a case, then it is necessary not to decide more.” *Dobbs v. Jackson Women’s Health Organization*, 597 U. S. 215, 348 (2022) (ROBERTS, C. J., concurring in judgment). That fundamental principle of judicial restraint is practically as old as our Republic. This Court is authorized “to say what the law is” only because “[t]hose who apply [a] rule to particular cases . . . must of necessity expound and interpret that rule.” *Marbury v. Madison*, 1 Cranch 137, 177 (1803) (emphasis added).

Today, the Court departs from that vital principle, deciding not just this case, but challenges that might arise in the future. In this case, the Court must decide whether Colorado may keep a Presidential candidate off the ballot on the ground that he is an oath-breaking insurrectionist and thus disqualified from holding federal office under Section 3 of the Fourteenth Amendment. Allowing Colorado to do so would, we agree, create a chaotic state-by-state patchwork, at odds with our Nation’s federalism principles.

Former U.S. President Donald J. Trump is a private U.S. citizen as Petitioner; hence, both are equally guaranteed the secured provisions of the U.S. Constitution and the 14th Amendment to the U.S. Constitution of due process and the equal protection under the law rights; hence, the U.S. Supreme Court should grant this petition for rehearing; hence, following the U.S. Supreme Court’s own precedent in *Dobbs v. Jackson Women’s Health Organization*, 597 U. S. 215, 348 (2022), it is of paramount importance and necessary and public interest to decide more to dispose of this instant Case, then it is necessary to grant certiorari to decide more to achieve a litigation finality in this instant Case. The 03/04/2024, decision in *Donald J. Trump, Petitioner v. Norma Anderson, et al.* 601 U. S. ___ (2024), Case No. 23–719 resolves this instant Case. For litigation finality in this instant

Case; thus, the U.S. Supreme Court should not allow and sustain void *ab initio* State Courts' Orders and judgments; hence, this petition for rehearing should be granted. The 03/04/2024, U.S. Supreme Court's decision denying certiorari is in violation of 42 U.S.C. § 1982: Property Right of Citizen, which provides as follows:

All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property.

Because Petitioner is meritorious; thus, by enforcing the equal protection under the law right of the 14th Amendment to the U.S. Constitution; hence, on 03/04/2024, the U.S. Supreme Court should have followed its 03/04/2024, decision in *Donald J. Trump, Petitioner v. Norma Anderson, et al.* 601 U. S. __ (2024), Case No. 23–719 for litigation finality in this 09/14/2020, protracted and endless instant Case by deciding that, “Section 1 of the 14th Amendment to U.S. Constitution bars the State of Ohio from “depriving Petitioner of life, liberty, or property, without due process of law” or “denying to Petitioner . . . the equal protection of the laws;” hence, rehearing should be granted to reach the litigation finality in this Case, because certiorari is the only vehicle for the Ohio and U.S. Constitutions and 11 U.S.C. § 524(a)(1) and Fed. R. Bankr. P. 9011 and O.R.C. § 2329 and O.R.C. § 2329.02 and O.R.C. § 2329.191(B)(7) and the 5th and 8th and 14th Amendment to U.S. Constitution to be favorably enforced to Petitioner to reach the litigation finality in this Case.

Because the lower Courts failed to do it and suppressed and ignored and extinguished and vacated the Ohio and U.S. Constitutions and existing federal and state laws; and enforced void *ab initio* judgments and Orders based on the invalid and unconstitutional Supplemental Final Judicial Report, which are in violation of 11 U.S.C. § 524(a) and O.R.C. § 2329 and O.R.C. § 2329.02 and O.R.C. § 2329.191(B)(7); hence, rehearing should be granted for the U.S. Supreme Court be authorized “to say what the law is” only because “the U.S. Supreme Court applies rules and laws to this particular Case and should of necessity expound and interpret the rules and laws to reach the litigation finality in this instant Case.” *Marbury v. Madison*, 1 Cranch 137, 177 (1803)

Today, in this instant Case, the U.S. Supreme Court should decide under the Ohio and U.S. Constitutions and O.R.C. § 2329.191(B)(7) and the 5th and 8th and 14th Amendments to U.S. Constitutions that the invalid and unconstitutional and fraudulent Supplemental Final Judicial Report is unconstitutional and prohibited and invalid and is barred to be used against Petitioner; hence, allowing it would create a chaotic state-by-state homeownership devastation and frustration and litigations, at odds with our Nation's federalism principles.

On 03/04/2024, the U.S. Supreme Court held in *Speech First, Inc. v. Timothy Sands, individually and in his official capacity as President of Virginia Polytechnic Institute and State University*, 601 U. S. __ (2024), Case No. 23–156, which was decided 03/04/2024, as follows:

Speech First, a national membership organization seeking to protect free speech on college campuses, brought suit against Virginia Tech to enjoin the university's “bias intervention and response team policy.”... Speech First asks us to review whether Virginia Tech's bias response policy objectively chills students' speech. I would grant the petition. It raises an important question affecting universities nationwide... Yet, because of the split among the Courts of Appeals, many of these universities face no constitutional scrutiny, simply based

on geography. I have serious concerns that bias response policies, such as Virginia Tech's, objectively chill students' speech. The First Amendment provides that "Congress shall make no law . . . abridging the freedom of speech."... Although the First Amendment applies most straightforwardly to government regulations that directly restrict speech, this Court has recognized that "constitutional violations [can also] arise from the deterrent, or 'chilling,' effect of governmental regulations." *Laird v. Tatum*, 408 U. S. 1, 11 (1972)... This petition presents a high-stakes issue for our Nation's system of higher education. Until we resolve it, there will be a patchwork of First Amendment rights on college campuses...

Following the U.S. Supreme Court's order to grant certiorari in *Speech First, Inc. v. Timothy Sands, individually and in his official capacity as President of Virginia Polytechnic Institute and State University*, 601 U. S. __ (2024), Case No. 23-156, which was decided 03/04/2024; hence, in this instant Case, **Petitioner is a discharged (see Exhibit A-4) member of a minority group and an American homeowner seeking to protect the public and homeowners' right to real property ownership and Bankruptcy relief**, by fighting against the government use of the invalid and unconstitutional and fraudulent Supplemental Final Judicial Report to suppress and vacate and extinguish the Ohio and U.S. Constitutions and existing American federal and state laws and the Bankruptcy process and relief and Order of Discharge, to permanently confiscating and depriving real properties without owing titles. Petitioner asked the U.S. Supreme Court to enforce the Ohio and U.S. Constitutions and existing American federal and state laws and to declare the invalid Supplemental Final Judicial Report unconstitutional; hence, Petitioner's petition for certiorari raised important questions affecting nationwide homeowners' right to real property ownership and Bankruptcy relief and alleged that the Supreme Court of Ohio has decided an important federal question in a way that conflicts with the decision of other State Courts of last resort and United States Court of Appeals.

Hence, on 03/04/2024, the U.S. Supreme Court ignored that Petitioner's petition for certiorari raised important questions of conflicting and unsettled splits among Courts of Appeals on the issues of enforcing 11 U.S.C. § 524(a)(1) (see **Exhibit B-2**) and the state law *in rem* right that survive Bankruptcy, *Johnson v. Home State Bank*, 501 U.S. 78, 84 (1991) and the violations of O.R.C. § 2329 and O.R.C. § 2329.02 and O.R.C. § 2329.191(B)(7); thus, the U.S. Supreme Court should seriously consider that this instant Case is the only vehicle to resolve the questions presented, because uniformity is needed now for homeowners to be treated equally nationwide; hence, the U.S. Supreme Court should grant this petition for rehearing for certiorari to be granted.

On 03/04/2024, the U.S. Supreme Court ignored that Petitioner invoked the 5th Amendment, which provides that: "Nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb;... nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation;" hence, by denying certiorari; thus, on 03/04/2024, the U.S. Supreme Court horribly allowed that Petitioner be twice put in jeopardy and be deprived of life, liberty and property without due process of law; and that his private real property be taken without just compensation. Furthermore, the U.S. Supreme Court ignored that Petitioner invoked the 14th Amendment, which provides that: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws;" hence, because upon review of Petitioner's petition for certiorari the U.S. Supreme Court allowed the invalid and

unconstitutional and fraudulent and unlawful Supplemental Final Judicial Report be used against Petitioner; hence, by denying certiorari; thus, on 03/04/2024, the U.S. Supreme Court horribly allowed that the State of Ohio shall make and enforce invalid and unlawful and unconstitutional Supplemental Final Judicial Report, which shall abridge the privileges or immunities of citizens of the United States; and shall deprive Petitioner of life, liberty, and property, without due process of law by dispatching sheriff officers; and shall deny to Petitioner within its jurisdiction the equal protection of the laws. This instant Case will not settle until Petitioner gets back his wholly satisfied real property; hence, the U.S. Supreme Court should grant rehearing to issue certiorari in this Case.

Since on its face the invalid and unlawful and unconstitutional and fraudulent Supplemental Final Judicial Report is unusually abnormal and unauthorized and had never been addressed or presented or adjudicated or disposed by the U.S. Supreme Court; hence, it presents a first impression issue before Courts and should be addressed and disposed now; hence, on 03/04/2024, the U.S. Supreme Court in ignoring its own Rule 10, ignored that Petitioner's petition for certiorari alleged that the Supreme Court of Ohio had decided an important question of federal law that has not been, but should be, settled by the U.S. Supreme Court, and had decided important federal question of deprivation of real property and constitutional rights and suppressing the Ohio and U.S. Constitutions in a way that conflicts with relevant decisions of the U.S. Supreme Court; hence, rehearing should be granted to issue certiorari; else, litigation finality is unreachable until the U.S. Supreme Court disposes this instant Case; else, there will be a nationwide patchwork involving the invalid and unconstitutional Supplemental Final Judicial Report and violations of homeowners' right to real property ownership and Bankruptcy relief and Order of discharge and Constitutions.

Pursuant to Rule 44.2, the other substantial grounds not previously presented are as follows:

- a) The 03/04/2024, U.S. Supreme Court's order is subject to direct and various attacks.
- b) Should Constitutions be enforced; hence, decisions and judgments and Orders below will be different upon the 03/04/2024, U.S. Supreme Court's order is vacated.
- c) Justice will be favorably rendered to Petitioner upon the 03/04/2024, U.S. Supreme Court's order is vacated.
- d) The 03/04/2024, U.S. Supreme Court's order fails to provide finality in this Case.
- e) A reasonable jurist would say the 03/04/2024, U.S. Supreme Court's order ignores the Ohio and U.S. Constitutions and existing American federal and state laws.
- f) A reasonable jurist would find that the 03/04/2024, U.S. Supreme Court's order unconstitutionally sustains void *ab initio* lower Courts' judgments and Orders.
- g) Comparing to Trump's Case, on 03/04/2024, the U.S. Supreme Court's order shows the 14th Amendment is unreachable by and not applicable to unfortunate minority.
- h) The 03/04/2024, U.S. Supreme Court's order gives the government a green light to violate and ignore their own Constitutions and the U.S. Constitution and existing federal and state laws and Bankruptcy process and Bankruptcy Order of Discharge.

- i) The 03/04/2024, U.S. Supreme Court's order affects the public and homeowners' interest in their rights to real property ownership and Bankruptcy Discharge.
- j) On its face the invalid and unconstitutional Supplemental Final Judicial Report (**see Exhibit B-1**) is unusually abnormal and prohibited; thus, the 03/04/2024, U.S. Supreme Court's order gives the government a green light to use it and affect the public, which will ultimately burden and exhaust the judicial system soon.
- k) The invalid and unconstitutional Supplemental Final Judicial Report being allowed; hence, the 03/04/2024, U.S. Supreme Court's order permits more mortgage frauds.
- l) In violation of O.R.C. § 2329 and O.R.C. § 2329.02 (**see Exhibit A-9**) and O.R.C. § 2329.191(B)(7) (**see Exhibit A-10**); thus, the sheriff's deed is invalid and nullity (**see Exhibit B-4**); hence, the 03/04/2024, U.S. Supreme Court's order gives the government a green light to unlawfully deprive real property without owing titles.
- m) Comparing to *Glossip v. Oklahoma*, Case No. 22-7466 on 01/22/2024; thus, the 03/04/2024, U.S. Supreme Court's order is "against" and "ignores" the evidentiary facts and the lower Courts' records.
- n) The 03/04/2024, U.S. Supreme Court's Order paved the way for the void *ab initio* lower Courts' judgments and Orders to be sent to the White House for President Joe Biden to restore the public and homeowners' right to real property ownership and their 14th Amendment due process and equal protection under the law rights and their rights to Bankruptcy relief for a fresh start and Bankruptcy Order of Discharge.
- o) The 03/04/2024, order "ignores" a first impression important question of federal law that has not been, but should be, settled by the U.S. Supreme Court in this instant Case for nationwide public interest and justice and judicial economy.
- p) The order sustained the lower Courts' judgments and Orders of important federal question in a way that conflicts with decisions of United States Court of Appeals.
- q) The 03/04/2024, U.S. Supreme Court's Order unduly increases the cost for this litigation and triggers endless litigations. Petitioner must get back his real property.
- r) The 03/04/2024, U.S. Supreme Court's Order is in violation of 42 U.S.C. § 1982.
- s) The 03/04/2024, U.S. Supreme Court's Order is in violation of the 14th Amendment.
- t) The 03/04/2024, U.S. Supreme Court's order permits the State Courts to act as Courts of Appeals to Bankruptcy Courts and Bankruptcy Courts' discharge Orders.
- u) The 03/04/2024, U.S. Supreme Court's order failed to establish uniformity that a judicial or judgment lien on a real property is generally created under State laws. See *Verba v. Ohio Cas. Ins. Co.*, 851 F.2d 811, 814 (6th Cir. 1988); *Feinstein v. Rogers*, 2 Ohio App.3d 96, 97-98, 440 N.E.2d; 1207, 1209 (1981).

- v) The 03/04/2024, U.S. Supreme Court's Order is a newly form of return of slavery.
- w) The 03/04/2024, U.S. Supreme Court's order is a disguised return of lawlessness.
- x) The 03/04/2024, U.S. Supreme Court's order is a disguised shield for Respondents.
- y) The 03/04/2024, U.S. Supreme Court's order violates the 13th Amendment.

On 03/04/2024, the U.S. Supreme Court ignored that the U.S. Congress unambiguously ascertained 11 U.S.C. § 524(a)(1) was drawn with care to provide the U.S. Supreme Court precise and detailed guidance to expeditiously grant the Bankruptcy relief for a fresh start to discharged Petitioner, by precluding and suppressing and extinguishing and voiding ab initio in personam State Courts' judgments and Orders; hence, the U.S. Supreme Court should not ignore enforcing the U.S. Congress's act and intention in the U.S. Constitution and 11 U.S.C. § 524(a)(1).

The Supreme Court of United States of America granted certiorari on 01/22/2024, as follows:

In *Glossip v. Oklahoma*, Case No. 22-7466 on the questions presented as follows:

Whether the entirety of the suppressed evidence must be considered when assessing the materiality of Brady and Napue claims. See *Kyles v. Whitley*, 514 U.S. 419 (1995).

Whether due process of law requires reversal, where a capital conviction is so infected with errors that the State no longer seeks to defend it. See *Escobar v. Texas*, 143 S. Ct. 557 (2023) (mem.).
CERT. GRANTED 01/22/2024.

In *Williams v. Washington*, Case No. 23-191 on the questions presented as follows:

Whether exhaustion of state administrative remedies is required to bring claims under 42 U.S.C. § 1983 in state court. GRANTED 1/12/2024.

A reasonable jurist will find and determine that the 03/04/2024, U.S. Supreme Court's order denying Petitioner's fully supported and meritorious petition for a writ of certiorari is subject to direct and various attacks and disregarded and ignored the enforcement of the U.S. Constitution, for failing to provide or establish or reach a litigation "finality" in this instant Case. The 03/04/2024, U.S. Supreme Court's order is barred to fail to provide finality in this instant Case; and is further barred to ignore the Ohio and U.S. Constitutions by allowing void *ab initio* judgments and Orders that are based on the invalid and unlawful and fraudulent and unconstitutional Supplemental Final Judicial Report and it vacated the U.S. Congress' act and intention in 11 U.S.C. § 524(a)(1).

The U.S. Congress through 11 U.S.C. § 524(a)(1) deprived the State Courts in clear and unambiguous terms of the ability to misconstrue or modify the discharge itself by making such conclusions void and without legal effect. *Meadows v. haggler* (In re *Meadows*), 428 B.R. 894, 910 (Bankr. N.D. Ga. 2010) (citing 11 U.S.C. § 524(a)). It is important that the U.S. Supreme Court maintains a degree of unity and predictability. The invalid and unconstitutional and fraudulent Supplemental Final Judicial Report cannot be left without a conclusive determination by this Court. The tension in balancing justice with efficiency and finality is exactly what is likely informing the

U.S. Supreme Court in deciding how to decide issues of rehearing. Rehearing is an important device to help correct mistakes and ensure that justice is served. Hon. Richard S. Arnold, *Why Judges Don't Like Petitions for Rehearing*, 3 J. APP. PRAC. & PROCESS 29, 29 (2001). *Id.* at 34.

The lack of finality in *Roe v. Wade* was publicly established, after the U.S. Supreme Court's decision in 2022 to overturn *Roe v. Wade*, following President Joe Biden's promise to restore *Roe v. Wade* as the 'law of the land' in his 2024 State of the Union address. In his last 2024 State of the Union address before the general election, President Joe Biden pledged to restore abortion protections. Under the U.S. Constitution, a void *ab initio* judgment cannot be "final" and lacks any preclusive effect; thus, a void *ab initio* judgment is subject to direct and collateral attacks, which will result in endless litigations in this instant Case until Petitioner gets back his empty and vacant real property. When the government and CitiMortgage, Inc., became aware of the docketing of Petitioner's U.S. Supreme Court's Case No. 23-6426; hence, Masadeh Yunis was expeditiously urged and instructed by the government to vacate Petitioner's wholly satisfied and paid off and unmortgaged real property, which is located at 2064 Worchester Court, Columbus, Ohio 43232. The 03/04/2024, U.S. Supreme Court's Order unduly block Petitioner to get his real property back. The 03/04/2024, U.S. Supreme Court's Order ignores that the lower Courts' judgments and Orders lack finality and lack any preclusive effect for being void *ab initio*; hence, they should be sent to the White House for President Joe Biden to restore the public and homeowners' right to real property ownership and their 14th Amendment due process and equal protection under the law rights and their rights to Bankruptcy relief for a fresh start and Bankruptcy Order of Discharge.

The lower Courts' judgments and Orders (**see Exhibit A-5**) and (**see Exhibit A-6**) and (**see Exhibit A-7**) fraudulently and unlawfully and unconstitutionally obtained in violation of O.R.C. § 2329.02 and O.R.C. § 2329.191(B)(7) and 11 U.S.C. § 524(a), are based on the invalid and unconstitutional and fraudulent Supplemental Final Judicial Report; and are void *ab initio* and invalid and nullities and unconstitutional and fraudulent and unlawful and lack a preclusive effect; and are unenforceable; and are subject to direct and collateral attacks; until the U.S. Supreme Court grants certiorari in this instant Case to enforce the Ohio and U.S. Constitutions and existing American federal and state laws; and to permanently block and declare unconstitutional the invalid and unlawful and unconstitutional and fraudulent Supplemental Final Judicial Report, for finality of this instant Case. The U.S. Supreme Court clarified in *United Student Aid Funds Inc. v. Espinosa*, 559 U.S. 260, 270, 130 S.Ct. 1367, 176 L.Ed.2d 158 (2010) that "[a] void judgment is a legal nullity." "[A] void judgment is one so affected by a fundamental infirmity that the infirmity may be raised even after the judgment becomes final." Void actions are without legal effect and subject to collateral attack. Therefore, *Rooker –Feldman* is not a bar to jurisdiction where the State Courts' judgments and Orders are void *ab initio* and are nullities and unenforceable and without binding legal effect. Nothing in the U.S. Constitution delegates to the State of Ohio any power to ignore the mandate of 11 U.S.C. § 524(a)(1). The terms of 11 U.S.C. § 524(a)(1) speaks only to automatically void *ab initio* at any time obtained *in personam* State Courts' judgments.

The U.S. Supreme Court derives its authority from Article III of the U.S. Constitution and is barred to violate it. U.S. Const. Art. III. The Ohio Legislature wrote legislation O.R.C. § 2329 (**see Exhibit A-10**) providing for a Preliminary and a Final Judicial Report only, and never provided for a Supplemental Final Judicial Report, which was unconstitutionally and fraudulently and unlawfully used against Petitioner; hence, adequate relief and litigation finality cannot be obtained in any other form or from any other Court, while exceptional circumstances warrant the exercise of the U.S.

Supreme Court's discretionary and inherent powers to enforce the U.S. Constitution in favor of Petitioner. After Petitioner wholly paid off his real property; hence, the public and a reasonable jurist and the U.S. Supreme Court should find that the use of the invalid and unconstitutional Supplemental Final Judicial Report against Petitioner is a compelling reason for showing that the lower Courts had so far departed from the accepted and usual course of judicial proceedings, as to call for an exercise of the U.S. Supreme Court's supervisory power to enforce the U.S. Constitution.

It is the U.S. Congress' act and intention that 11 U.S.C. § 524(a)(1) is meant to operate automatically, with no need for Petitioner to assert the discharge to render the lower State Courts' judgments and Orders void *ab initio* (see **Exhibit B-2**). Being a highest federal Court of last resort, the U.S. Supreme Court is obligated to find that the lower State Courts' Orders and judgments are void *ab initio* despite the full faith and credit normally given to them. 4 Collier on Bankruptcy ¶ 524.02, at 524-20 (Alan N. Resnick & Henry J. Sommer eds. 16th ed. 2016); hence, to conclude otherwise would be to permit the State Courts to act as Courts of Appeals to Bankruptcy Courts and Bankruptcy Courts' discharge Orders. On 03/04/2024, the U.S. Supreme Court ignored that it is uniquely within the domain of the U.S. Congress to establish uniform laws on the subject of Bankruptcy, U.S. Const., Art. I, § 9. As reflected by the Bankruptcy Code, it is within federal Court's province, not State Courts to determine the breadth and application of 11 U.S.C. § 524(a)(1). The U.S. Supreme Court ignored that the lower Courts' judgments and Orders were entered in violation of the Ohio and U.S. Constitutions and existing American federal and state laws and were void *ab initio* as a result of violations of law and procedural errors that have risen to the level of a Petitioner's denial of due process and the equal protection under the law rights under the 5th and 14th Amendments.

At what point is the matter in this instant Case finally closed? The use of the invalid and unconstitutional Supplemental Final Judicial Report being an issue of first impression; hence, sooner or later, the U.S. Supreme Court will definitely be requested by the public and homeowners to decide the very same questions presented by Petitioner's petition for a writ of certiorari, until the U.S. Supreme Court finally settles the issue, for litigation must at some point come to an end by reaching finality; hence, the 03/04/2024, denial of certiorari did not mark the preclusive effect of the void *ab initio* lower Courts' judgments and Orders in this instant Case. The Ohio and U.S. Constitutions and existing American federal and state laws were violated in this instant Case, in which certiorari was denied and thus finality cannot attach. The U.S. Supreme Court should grant rehearing to allow the finality of this instant Case; thus, Petitioner suggests that the initial denial of certiorari may have been a mistake; hence, the enforcement of the U.S. Constitution is a guarantee that had long functioned as an important key to safeguard against the government oppression.

Courts have held that a void judgment is one which from the beginning was complete nullity and without any legal effect. See *Hobbs v. U.S. Office of Personnel Management*, 485 F.Supp. 456 (M.D. Fla. 1980); *Rubin v. Johns*, 109 F.R.D. 174 (D. Virgin Islands 1985); *Loyd v. Director, Dept. of Public Safety*, 480 So.2d 577 (Ala.Civ.App. 1985); *City of Los Angeles v. Morgan*, 234 P.2d 319 (Cal.App. 2 Dist. 1951); *Ward. v. Terriere*, 386 P.2d 352 (Colo. 1963); *People v. Sales*, 551 N.E.2d 1359 (Ill.App. 2 Dist. 1990); *Davidson Chevrolet, Inc. v. City and County of Denver*, 330 P.2d 1116, certiorari denied 79 S.Ct. 609, 359 U.S. 926, 3 L.Ed. 2d 629 (Colo. 1958); *Allcock v. Allcock*, 437 N.E.2d 392 (Ill.App.3 Dist. 1982); *In re Marriage of Parks*, 630 N.E.2d 509 (Ill.App. 5 Dist. 1994); *People v. Rolland*, 581 N.E.2d 907 (Ill.App. 4 Dist. 1991); hence, in this instant Case, based on the evidentiary facts and Courts' records, rehearing is appropriate and should be granted.

On 03/04/2024, the U.S. Supreme Court ignored the 13th Amendment and ignored that slavery was abolished in America; hence, Petitioner should not be subjected to slavery or involuntary servitude to the government and CitiMortgage, Inc.; hence, rehearing is needed for the issuing of certiorari, so that the parties can brief and the U.S. Supreme Court be an adjudicator and not a shield of Respondents; and should compel Respondents to produce a Final Judicial Report under O.R.C. § 2329.191(B)(7) and a perfected certificate of judgment under O.R.C. § 2329.02. The U.S. Supreme Court is barred to ignore that the 13th Amendment provides that:

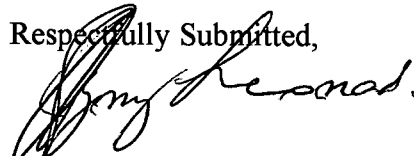
Section 1

Neither **slavery nor involuntary servitude**, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

CONCLUSION

This Petition for Rehearing should be granted for the issuing of certiorari to compel the parties to impartially litigate before this honorable and impartial highest federal Court of last resort. The U.S. Supreme Court should be an adjudicator and referee and not a shield of Respondents; and should compel Respondents to produce a Final Judicial Report under O.R.C. § 2329.191(B)(7) and a perfected certificate of judgment under O.R.C. § 2329.02. Rehearing should be granted for the U.S. Supreme Court to impartially vacate the void *ab initio* lower Courts judgments and Orders; hence, Petitioner is meritorious, and the final decision will be different. A final document cannot be supplemented. The U.S. Supreme Court is barred to block Petitioner from getting back his real property; hence, rehearing should be granted. The U.S. Supreme Court is barred to ignore its own precedents and should enforce the Ohio and U.S. Constitutions, for litigation finality in this Case.

Respectfully Submitted,



LEONARD NYAMUSEVYA

Petitioner *pro-se*

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nyaleo@hotmail.com

CERTIFICATE FOR SERVICE

I hereby do swear or declare or certify that on the **18th day of March 2024**, as required by U.S. Supreme Court Rule 29, I have served the enclosed documents and on each party and party's counsel to the above proceeding, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid and by email. The names and addresses of those served are as follows:

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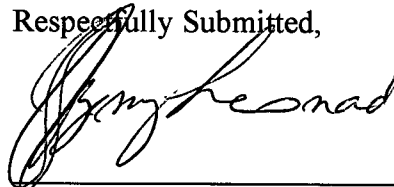
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No other parties are affected by these documents. I declare under penalty of perjury that the foregoing is true and correct. Executed on March 18, 2024.

Respectfully Submitted,



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No.: 23-6426

IN THE
SUPREME COURT OF THE UNITED STATES OF AMERICA

Leonard Nyamusevya

Petitioner,

v.

CitiMortgage, Inc., *et al.*

Respondents.

CERTIFICATION OF LEONARD NYAMUSEVYA.

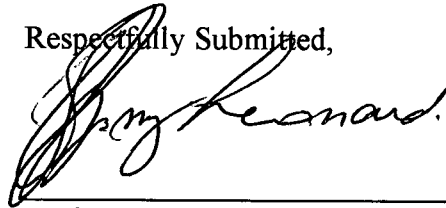
CERTIFICATION OF PETITIONER

I hereby do swear and certify that pursuant to Rule 44, this Petition for Rehearing is restricted to the grounds specified in Rule 44 and that it is presented in good faith and not for delay.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 18, 2024.

Respectfully Submitted,



LEONARD NYAMUSEVYA

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RECEIVED

MAR 20 2024

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SUPREME COURT, U.S.