

No.

~~23-6591~~

ORIGINAL

**FILED**

NOV 21 2023

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

\_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES  
\_\_\_\_\_

Tracie L. Green — PETITIONER .

vs.

US Bank National et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

US Court of Appeals for the Fourth Circuit.

PETITION FOR WRIT OF CERTIORARI

Tracie Mitchem-Green  
ProSe Defendent  
P.O. Box 521  
Yonkers, NY 10710  
(803) 361-0602  
Email: drgreen@myyahoo.com

## QUESTION(S) PRESENTED

Stated Issue: The facts will show that U.S. Bank National failed to comply with legal guidelines in this foreclosure case. In addition, the facts will also show the partial treatment received within the judicial process, which has directly upheld U.S. Bank National in its deviation of the law. The questions presented are:

1. Was the US Court of Appeals for the Fourth Circuit in error dismissing the appeal for a "lack of jurisdiction," after having held on to the case for over six (6) months, far exceeding the Informal Brief Order timeline?
2. Was the US District Court of South Carolina in error:
  - a. In remanding case back to Lexington County Courthouse, despite being presented evidence of partial treatment received with egregious civil rights and legal right violations?
  - b. In requiring release of requested sealed documents to Lexington County Courthouse, despite being notified of targeting occurrences and Defendants request for Witness Protection, Federal notification and investigation?
3. Was U.S. Bank National Association in error:
  - a. By failing to use ordinary care (i.e. follow guidelines and comply with applicable
  - b. By intentionally and deliberately failing to appropriately process the mortgage

## **LIST OF PARTIES**

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:

- US Bank National Association
- Cardinal Pines Homeowners Association
- Palmetto Citizens Federal Credit Union and Associates et al
- Lexington County Courthouse and Associates et al
- [John Doe et al, Jane Doe et al: Named and unnamed Individuals and/or Entities listed and/or unlisted and/or referenced or not referenced in none, any, and/or all local, state, and/or federal Court filed documents.

## **RELATED CASES**

Green v US Bank National et al. No 23M16, U.S. Supreme Court of the United States. Initial Judgment denying Motion to Seal entered October 2, 2023. Final Judgment is pending.

Mitchem-Green v. MHM Health Professionals, No 3:20-cv-00054-BJD-PDB, U.S. District Court Middle District of Florida. Judgment entered approximately May-June 2021

Mitchem-Green v MHM Health Professions, Appeal No 21-11611, U.S. Court of Appeals for the Eleventh Circuit. Judgment date unknown due to Attorney Office becoming unresponsive.

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### APPENDIX A Decision of US Court of Appeals for the Fourth Circuit

- i. April 14, 2023 United States Court of Appeals for the Fourth Circuit Response letter (1 page)/June 7, 2023 United States Court of Appeals for the Fourth Circuit (1 page)
- ii. United States Court of Appeals for the Fourth Circuit Judgment (signed by Nwamaka Anowl, Clerk (1 page)/Unpublished Document (3 pages)
- iii. US Court of Appeals for the Fourth Circuit, Notice of Judgment (2 pages)
- iv. US Court of Appeals for the Fourth Circuit Bill Of Costs Form (1 page)
- v. Defendant Tracie's Letters (December 13, 2023 [15 p.]—which includes October 22, 2023 [1p.]; November 1, 2023 [1p]; and November 21, 2023 [2 p.]—with Proof of Service [1p]

### APPENDIX B Decision of US District Court for South Carolina

- i. US District Court of South Carolina Report and Recommendation (9 pages)
- ii. US District Court of South Carolina Order (3 pgs)/Appeal transmittal sheet, dated February 15, 2023 (1 page)

APPENDIX C      Document Related to Lexington County Courthouse

- i.    March 1, 2023 Hutchen's Law Firm Notice to Occupants of Pending Acquisition ( double-sided)
- ii.   August 22, 2022 Notice of Home Acquisition (Court-filed document created by Tracie)
  1.   August 3, 2022: Received "NOTICE TO OCCUPANTS OF PENDING ACQUISITION" without this Defendant's proper involvement and inclusion in judicial process.(Page 2 of 95)/Close-up" (Page 3 of 95)
  2.   Picture Notice of Hearing with Envelope Page 4 of 95/Notice of Hearing (Page 5 of 95)
  3.   Question (Page 6 of 95)/July 15, 2022: Filed Motion to Change Venue (State to Federal Jurisdiction); remains unaddressed by current Court. (Page 7 of 95)
  4.   April 20, 2022: Filed Motion to Compel; remains unaddressed by Plaintiff and current Court. (Page 18 of 95)/ June 8, 2022: Hindered (denied right) filing hand-delivered document to current Court. (Page 32 of 95)
  5.   July 23, 2023 Denies referring case to Master in Equity (Page 74 of 95)/"Acknowledgement" (of foundational basis of case) remains unaddressed by current Court (Page 95 of 95).

APPENDIX D      Document Related to US District Court for the Middle District of Florida

- i.    December 1, 2020 Affidavit (37 pages, excludes unsigned signature page)
- ii.   December 1, 2020 Signed and Notarized Affidavit Signature Page
- iii.   Dec 3 2020 Affidavit of Tracie Mitchem-Green (timeline of events; 18 pages)
- iv.   Dec 3 2020 Signed and Notarized Affidavit Signature Page

## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

[I do not have access to case law; however, cases are referenced in the news articles below]

"Whistleblower prison guard paid the price for reporting abuse", 31  
published July 19, 2015, Miami Herald

"Florida's Department of Corrections: 31  
A Culture of Corruption, Abuse, and Deaths" published  
February, 2016, Prison Legal News

### STATUTES AND RULES

Constitution, Fourteenth Amendment, Section 1

Title VI Civil Rights Act of 1964

Federal Law, Section 1404(a) of Title 28

### OTHER

U.S Department of Housing and Urban Development Public Release Notice 21-115,  
dated July 23, 2021, entitled "Federal Housing Administration Announces Additional  
COVID-19 Recovery Options for Homeowners 3, 6

U.S Department of Housing and Urban Development (Washington, DC)  
April 11, 2022 Letter 3, 6

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**

Federal Court

The opinion of the United States Court of Appeals appears at Appendix A to the petition and is unpublished. There is evidence of partial treatment.

The opinion of the United States District Court of South Carolina appears at Appendix B and publishing is unknown. There is evidence of partial treatment.

State Court

The opinion of Lexington County Courthouse has not been received. There is evidence of partial treatment. Supporting documents appear at Appendix C.

## **JURISDICTION**

### **Federal courts:**

The date on which the United States Court of Appeals decided my case was October 2, 2023. A copy of that decision appears at Appendix A [ Documents timely provided to US District Court of South Carolina were provided again, but directly to US Court of Appeals for the Fourth Circuit on March 6, 2023]. The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

The date on which the United States District Court of South Carolina decided my case was January 23, 2023. A copy of that decision appears at Appendix B. The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

### **State courts:**

The date on which the Lexington County Courthouse decided my case is not applicable; transfer to Federal Jurisdiction is in process. See Appendix C. The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

Constitution, Fourteenth Amendment, Section 1:

"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 any person within its jurisdiction the equal protection of the laws."



Title VII Civil Rights Act of 1964:

"...Prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. As President John F Kennedy said in 1963:

Simple justice requires that public funds, to which all taxpayers of all races [colors, and national origins] contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in racial [color or national origin] discrimination.

If a recipient of federal assistance is found to have discriminated and voluntary compliance cannot be achieved, the federal agency providing the assistance should either initiate funding termination proceedings or refer the matter to the Department of Justice for appropriate legal action....Title VI inhibits intentional discrimination..."—Department of Justice

Federal Law, Section 1404(a) of Title 28:

"...for the convenience of parties and witnesses, in the interest of justice, a district may transfer any civil action to any other district where it might have been brought...Any party...may move for a transfer under 28 U.S.C. 1404(a)...the factor of the convenience of parties and witnesses must be measured in terms of the interest of justice..."

U.S Department of Housing and Urban Development (Washington, DC) [April 11, 2022 Letter]

"FHA requires your mortgage servicer to review your situation, determine which assistance option you are eligible for, and then help you to complete the option."

HUD 21-115, dated July 23, 2021, Public Release Notice entitled "Federal Housing Administration Announces Additional COVID-19 Recovery Options for Homeowners:

"For homeowners who can resume making their existing monthly mortgage payments, FHA has revised a COVID-19 Recovery Standalone Partial Claim...COVID-19 Recovery Modification, for homeowners who cannot resume making their current monthly mortgage

payments...The COVID-19 Pre-foreclosure Sale, for homeowners who, after all retention options are exhausted are unable to keep their home...The COVID-19 Deed-in-Lieu of Foreclosure for homeowners who are unable to keep their home after all retention options are exhausted, and who are unable to complete a pre-foreclosure sale...the homeowner voluntarily offers the deed to HUD in exchange for release from all obligations under the mortgage..."

## STATEMENT OF THE CASE

Starting around September 26, 2021, as part of the U.S. Bank National Association's Mortgage Assistance Program Application process, the Defendant submitted the following to U.S. Bank National Association:

1. October 2, 2021, Letter of Hardship reads: *"...My hardship has not resolved as of yet, I am self-employed and currently without work. However, I do expect my situation to improve."* [Exhibit 4; Originally emailed March 16, 2022, then sent certified mail to U.S. Bank National on April 4, 2022. Redacted from filed Court Documents on April 20, 2022, but now being included.]
2. October 24, 2021 email to [map@usbank.com](mailto:map@usbank.com): *"On October 22, 2021... after I entered the Mortgage Assistance section of the Portal, the following title was noted "Your Loss Mitigation Status: Partial Claim Approved--agreement documents in process" without the ability or request to upload further documents noted. Again, I did not receive any notice or message regarding this change, but I am appreciative of any assistance provided. I am unsure what this Partial Claim Approval means; is it possible to receive some insight?"* [U.S. Bank acknowledged receipt on October 25, 2021 at 11:07am.] [Exhibit 5. Originally emailed March 16, 2022, then sent certified mail to U.S. Bank National on April 4, 2022. Filed with Court Documents on April 20, 2022.]
3. November 9, 2021 email to [map@usbank.com](mailto:map@usbank.com): *"...Since I have an FHA loan, am unable to resume making current monthly mortgage payments, and do not have Partial Claim funds available, then I am requesting a Covid-19 Recovery Modification as outlined by the FHA please. Please advise."* [U.S. Bank acknowledged receipt on November 10, 2021 at 11:32am.] [Exhibit 5. Originally

*emailed March 16, 2022, then sent certified mail to U.S. Bank National on April 4, 2022. Filed with Court Documents on April 20, 2022.]*

4. On February 14, 2022 and again on February 15, 2022, in response to a U.S. Bank National Association email received on February 9, 2022, Defendant emailed the following to [map@usbank.com](mailto:map@usbank.com): "...Dear US Bank, I apologize for the delayed response to your automated message dated 2/9/22 (see below) requesting I submit an application for mortgage assistance. Does this mean the previous application submitted was discarded or not applicable? Yes, I have been requesting assistance from US Bank as outlined by the COVID program (i.e. loan modification), as I do not qualify for the partial claim previously offered. Please advise as I do desire to keep my home ...."[Exhibit 7. Originally emailed March 16, 2022, then sent certified mail to U.S. Bank National on April 4, 2022. Filed with Court Documents on April 20, 2022.]

As discussed in this Defendant's Response to Informal [Electronic] Contacts and April 28, 2022 Mailed Letter (Received April 30, 2022) (2 pages) [ signed May 2, 2022; State filed May 3, 2022; Federal filed December 17, 2022—USPS#9505506633362351532336]:

1. "FHA requires your mortgage servicer to review your situation, determine which assistance option you are eligible for, and then help you to complete the option." [The April 11, 2022 Letter from U.S Department of Housing and Urban Development (Washington, DC)]
2. "For homeowners who can resume making their existing monthly mortgage payments, FHA has revised a COVID-19 Recovery Standalone Partial Claim...COVID-19 Recovery Modification, for homeowners who cannot resume making their current monthly mortgage

payments...The COVID-19 Pre-foreclosure Sale, for homeowners who, after all retention options are exhausted are unable to keep their home...The COVID-19 Deed-in-Lieu of Foreclosure for homeowners who are unable to keep their home after all retention options are exhausted, and who are unable to complete a pre-foreclosure sale...the homeowner voluntarily offers the deed to HUD in exchange for release from all obligations under the mortgage..." [HUD 21-115, dated July 23, 2021, Public Release Notice entitled "*Federal Housing Administration Announces Additional COVID-19 Recovery Options for Homeowners*" [Exhibit 5; Originally emailed March 16, 2022, then sent certified mail to U.S. Bank National on April 4, 2022. Filed in Lexington Courthouse April 20, 2022..]

As detailed above, U.S. Bank National Association failed to use ordinary care in processing the Mortgage Assistance Program Application; and failed to follow guidelines as outlined by legal mandates. In addition, U.S. Bank National Association failed to comply to applicable law(s) with the Coronavirus Aid, Relief, and Economic Security Act" though they certified compliance in the March 4, 2022 filed complaint. Furthermore, U.S. Bank National Association's repeated requests for completion of additional Mortgage Assistance Program Applications appears to be an attempt to cover the above stated failures. Moreover, U.S. Bank National Association's Intentionality is in question; which warranted The White House and Federal Government involvement [The White House Letter, dated April 12, 2022, filed on April 20, 2022 with copy mailed certified to U.S. Bank National Association on same day.]

Next, US Bank National failure in appropriately processing the Mortgage Assistance Program application appears to be intentional and deliberate in nature. As discussed in this Defendant's NOTICE OF HOME ACQUISITION (95 pages) [signed August 24, 2022; State filed September 1, 2022; Federal filed November 28, 2022]:

...Today, 8/3/22, I am in receipt of two certified letters, with the contents entitled "NOTICE TO OCCUPANTS OF PENDING ACQUISITION" within sixty (60) to ninety (90) days; both letters are seven (7) pages in length and appear identical. One letter was addressed to "Tracie L. Green" and the other "Occupants", but both letters with address "123 Cardinal Pines Drive, Lexington, SC 29073 [Page 2 of 95]... On August 20, 2022, a Notice of Hearing was retrieved from my mailbox at 638PM [though not in my mailbox when checked earlier at 105PM.]. It reads as follows: "A foreclosure hearing has been set ...for September 13, 2022 at 10:00AM before the Honorable James O. Spence, Master in Equity for Lexington, for the purpose of taking testimony, findings of facts and conclusions of law and to enter final judgement therein without further order of the court...will be held at the Lexington County Judicial Center, courtroom 2-A, 205 East Main St. Lexington SC 29072..."[Page 3 of 95]; and...Question: If US Bank National, ...has acquired the rights to 123 Cardinal Pines Drive, Lexington, SC 29073 [DATED 7/28/22 AND NOT FILED WITH THE COURT], then why now has US Bank National scheduled a meeting [FILED 8/18/22] with the Honorable James O. Spence, Master-in-Equity, "...for the purpose of taking testimony, finding of facts and conclusions of law and to enter final judgment therein without further order of the court"? Has not US Bank National already obtained a final judgement without lawful judicial process?... [Page 6 of 95]

How U.S. Bank National obtained the ability to attempt to acquire Defendant's home was outlined in Defendant's LETTER TO HONORABLE JAMES O. SPENCE, HONORABLE LISA CROMER, AND HONORABLE MONA HUGGINS (13 pages) [signed September 7, 2022; State filed September 8, 2022; Federal filed December 17, 2022]:

[Page 2 of 13]

...3. On 9/5/22, listed online at <https://publicindex.sccourts.org/lexington/publicindex/>, under US Bank National was the following filed documents:

<b>File Date and Time</b>	<b>Document</b>
08-29-2022 03:46:57 PM	Notice/Notice of Hearing and Service by John Sanford Kay
08-29-2022 15:59 PM	Notice of Electronic Filing
09/01/2022-13:48	Master/Exhibit/Note and Mortgage (Seventeen) 17-page signed document, dated 6/9/14, that includes Signature/Name Affidavit, Mortgage [notarized in Florida, Columbia County]; Exhibit A; Non-Owner Occupancy Rider; Exhibit "A"
09/01/2022 13:48	Master/Exhibit/Affidavit of Attorney Fees (Affidavit of Attorney Fees (3 pages)
09/01/2022 13:48	Master/Exhibit/Affidavit of Debt (EXHIBIT A Affidavit Summary)(2 pages) Affidavit of Debt (2 pages)
09/01/2022 13:48	Notice of Electronic Filing (Master/Exhibit/Note and Mortgage; Master/Exhibit/Affidavit of Attorney Fees; Master/Exhibit/Affidavit of Debt) <b>[NOTE: As of 9/5/22 926PM, I am NOT in receipt of these documents (however, I have reviewed the online version).]</b>

.... In the Affidavit of Attorney Fees, Number 4 Section A "Nature, Extent, and Difficulty of Legal Services Rendered", US Bank National states **"A hearing was held by the Master..."** **If this is true, why was the Defendant not made aware of such a hearing?**

This was an UNLAWFUL legal proceeding, yet US BANK NATIONAL CONTINUED IN THIS UNLAWFUL ACTION. In addition, this Defendant objected to this case being referred to the Master and according to SC Judicial law, this case was to be returned to the Court. US Bank National yet again, failed, to comply with the Law.

Again, US Bank National's failure in appropriately processing my Mortgage Assistance Program

application appears to be intentional and deliberate in nature.

Lastly, facts show Defendant Tracie L. Green received partial treatment from within the Judiciary process, thereby assisting U.S. Bank National in its unlawful attempt to acquire Defendants home. Outlined in Defendant's LETTER TO HONORABLE JAMES O. SPENCE, HONORABLE LISA CROMER, AND HONORABLE MONA HUGGINS (13 pages) [signed September 7, 2022; State filed September 8, 2022; Federal filed December 17, 2022]:

[Pages 1-2 of 13]

1. *On 9/1/22, thank you for sending me a filed copy of "NOTICE OF HOME ACQUISITION" (95-pages) that was delivered to the Lexington County Courthouse on 8/25/22 per the United States Postal Service (USPS; tracking# 9505510323562236724143); I received the filed copy on 9/4/22.*  
*However, as of 9/5/22 926PM, this (ninety-five) 95-page filed document is **not** listed or available online at <https://publicindex.sccourts.org/lexington/publicindex/>, but multiple documents from U.S. Bank National are listed. Questions/Statements:*
  - **IS THERE A REASON FOR THE INCONSISTENCY IN POSTING PLAINTIFF VS. DEFENDANTS FILED DOCUMENTS ONLINE?**
  - **IF NOT PROFILED ONLINE, HOW WILL PALMETTO CITIZENS ATTORNEY OBTAIN ACCESS TO THIS DOCUMENT?**
  - **This USPS Priority Mail package arrived without USPS notification and without a tracking number, which is unusual for Priority Mail. USPS has been notified.**
2. *On 9/1/22, I retrieved number ONE OF TWO LETTERS [from Hutchen's Law Firm] from my mailbox stating "...This letter is to inform you that the September 13, 2022*



hearing has been cancelled. Our office will notify you once a new hearing is scheduled..." and number TWO OF TWO LETTERS [from Hutchen's Law Firm] from my mailbox stating "BY VIRTUE of the Order of Reference issued in the above titled cause, I have appointed September 13, 2022 10:30 a.m., as the time and place for a **Status Conference**...**This status conference will be held in person...at the Lexington County Judicial Center, courtroom 2-A, 205 East Main St. Lexington SC 20972...**".

As of 9/5/22 926PM, the (three) 3-page Status Conference document appears to be identical to the document listed and available online [filed 08/29/2022-15:46] at <https://publicindex.sccourts.org/lexington/publicindex/>, but the Hearing Cancellation Notice is not noted online. Question/Statement:

- **WHY IS THE STATUS CONFERENCE FILED AND POSTED ONLINE BUT NOT THE NOTICE AND SUBSEQUENT CANCELLATION OF THE FORECLOSURE HEARING?**
- **AGAIN, WHY HAVE THE HEARING DOCUMENTS NOT BEEN FILED WITH THE COURT AND PROFILED ONLINE?**
- **ALSO, WHY IS THE 95-PAGE "NOTICE OF HOME ACQUISITION" FILED WITH THE COURT [STAMPED 9/1/22 801 AM] BUT NOT PROFILED ONLINE?**

....**Question/Statement:** This Defendant REMAINS IN OBJECTION TO THE IN-PERSON STATUS CONFERENCE AND ANY OTHER PROCEEDING AT THE LEXINGTON COUNTY COURTHOUSE, as Motions, including Motions for Jury Trial [filed 5/23/22 1007AM and 7/6/22 832 AM] and Motion to Change Venue (State to Federal Jurisdiction; FILED 7/13/22 1513 AND 7/15/22 0822) were previously filed but not

addressed. THOUGH REQUIRED BY STATE AND FEDERAL LAW. Please see the 95-  
**page "NOTICE OF HOME ACQUISITION" for further details.**

Question/Statement:

- **WHY IS THE STATUS CONFERENCE FILED AND POSTED ONLINE BUT NOT THE NOTICE OF AND SUBSEQUENT CANCELLATION OF THE FORECLOSURE HEARING?**
- **AGAIN, WHY HAVE THE HEARING DOCUMENTS NOT BEEN FILED WITH THE COURT AND PROFILED ONLINE?**
- *If Plaintiff is permitted to file documents and those documents are profiled online [and in a timely fashion], then why is the Defendant's document(s) not being treated the same? For example, the 9/1/22 801AM filed copy of "Notice of Home Acquisiton" [the 95-page document], delivered to Lexington County Courthouse on 8/25/22 was not filed until 9/1/22 and still is not available online? **IS THERE A REASON FOR THE INCONSISTENCY IN FILING and POSTING PLAINTIFF VS. DEFENDANTS DOCUMENTS ONLINE?***

[Pages 11-13 of 13]

As stated in my 8/9/22 email to Your Honor Lisa Cromer and Your Honor Mona Huggins [See Page 94 of 95 from "NOTICE OF HOME ACQUISITION" (dated 8/22/22), filed 9/1/22 8:01AM]:

*Here are outstanding requests and Motions—submitted prior to this case being referred to the Honorable James Spence office **under false pretense**—that I am aware of, a response from the Court has not yet been received:*

- *Enforcement of Notice to Compel, filed April 20, 2022?*
- *Motion for Jury Trial with Permission to Release Documents, filed May 23, 2022.*

- *Enforcement of Permission to Release Documents?*
- *Enforcement of First Request for Production, filed June 20, 2022?*
  - *The time period covered by this request is January 1, 2016 through the present.*
  - *The entire file of Defendant in Plaintiff's possession, including but not limited to Defendant's contact with Plaintiff's appointed Counsel.*
  - *Any and all documents pertaining to all Incident Reports and/or other investigations, including but not limited to complete copies of Inspector General report(s) with any and all associated attachments.*
  - *Any and all documents pertaining to any reference provided to Plaintiff by any third party about Defendant.*
  - *Any and all documents or notes wherein Defendant is discussed and/or kept by any person.*
  - *Any and all documents indicating all personnel involved in the decision making process regarding Defendant's account, including but not limited to Defendant's Mortgage Assistance Application(s).*
  - *All policies and procedures—including but not limited to Federal Housing Administration (FHA) guidelines—applicable to decisions made by Plaintiff regarding any and all decisions regarding Defendant's account, including but not limited to Defendant's Mortgage Assistance Application, and whether Defendant was provided with a copy of those policies/procedures or not.*
  - *A list of all documents which are being withheld from production (with sufficient details to make a motion for a Court ordered production).*

- Online posting of Plaintiff's Responses to First Set of Requests for Admissions, dated July 12, 2022?
- Enforcement of Second Request for Production, filed July 13, 2022?
  - Order/Order Coversheet/\$25.00
  - Proposed Order/Referred to Master or Special Referee
  - Notice of Appearance, filed March 15, 2022
  - Notice of Appearance, filed July 1, 2022

Additional outstanding requests:

- 8/24/22 Notice/Notice of Appearance filed by S. Nelson Weston, Jr [However, on the last page, page 2, of the document stated "The following people have not been served electronically by the Court. Therefore, they must be served by traditional means: Palmetto Citizens Federal Credit Union Tracie L. Green." **Question:** IF THIS DOCUMENT WAS FILED BY PALMETTO CITIZENS, WHY ARE THEY LISTED AS NEEDING TO BE NOTIFIED OF THE FILING?]

COMMENT:

- HOW IS IT THAT US BANK NATIONAL ATTENDED A MEETING WITH THE MASTER THAT THE DEFENDANT WAS NOT AWARE OF?
- IS THIS WHERE US BANK NATIONAL WAS GIVEN THE AUTHORITY TO ACQUIRE MY HOME?

In closing:

- \*THIS DEFENDANT CONTINUES WITH OBJECTION TO THIS CASE REMAINING AT LEXINGTON COUNTY COURTHOUSE, AS SAFETY AND LAWFUL JUDICIAL

**PROCESS IS COMPROMISED AND OF GRAVE CONCERN. I HUMBLY REQUEST AGAIN THAT THE MOTION TO CHANGE VENUE (STATE TO FEDERAL JURISDICTION), FILED JULY 15 105PM [SEE "NOTICE OF HOME ACQUISITION" PAGE 7 OF 95 OR ONLINE [<https://publicindex.sccourts.org/lexington/publicindex/>], BE HONORED.**

This Defendant, in her July 13, 2022, Letter to Clerk of Court (3 pages) [signed same date; State filed July 15, 2022; Federal filed November 28, 2022], details the occurrence's that has lead her to request a change in venue from State to Federal Jurisdiction:

*In accordance to South Carolina Judicial Branch Rule 82(c):*

*...When a petition for the removal of any action pending in any court of this State to any court of the United States is filed, no order accepting the petition or directing the action to be removed shall be required....*

*In accordance to Federal Law, Section 1404(a) of Title 28, Defendant motions this Court for Change in Venue.*

*...for the convenience of parties and witnesses, in the interest of justice, a district may transfer any civil action to any other district where it might have been brought...Any party...may move for a transfer under 28 U.S.C. 1404(a)...the factor of the convenience of parties and witnesses must be measured in terms of the interest of justice...*

*The interest of justice is/was outlined and detailed in the seven (7)-page Letter to Clerk of Court, signed July 8, 2022. This document was mailed Certified on the same day as follows:*

1. US Bank National via appointed Counsel [Hutchen's Law Firm, PO Box 8237, Columbia, SC 29202; USPS tracking #7022 0410 0002 4530 1232]

2. Lexington County Courthouse [205 E. Main St. Ste 146, Lexington SC 29072;

USPS tracking#7022 0410 0002 4530 8163]

Specifically, the following Occurrence chart was provided:

DATE	OCCURRENCE
4/6/22 913PM	Per Court Order, Guardian Ad Litem request emailed to Deputy Clerk of Court.
4/13/22	Guardian Ad Litem request successfully filed electronically with Lexington County Courthouse.
4/20/22	Motion to Compel filed; as of 7/6/22, not addressed by Court representative.
5/23/22	Motion for Jury Trial filed; as of 7/6, not addressed by Court representative.
6/8/22 Approx 0915	Clerk of Court representative denied this Defendant's right to file Response to Notice of Denial of Loss Mitigation (30 pages) due to double-sided printing [though double-sided printing was accepted previously]. <b>NOTE:</b> This document was reviewed by "she" prior to being denied the right to file it with the Court [see electronic notification, this date and time, for details]. This thirty (30) paged Response to Notice of Denial of Loss Mitigation ( <b>8 pages</b> )—included Corrections and Clarifications ( <b>20 pages</b> ); Defendant's First Request for Production ( <b>1 page</b> ); and Defendants First Request for Admissions ( <b>1 page</b> ).
6/8/22 1031AM	Documents emailed to Deputy Clerk of Court, requesting electronic filing include the following: 1. 6 5 22 Response (Notice of Denial of Loss Mitigation).pdf (30 pages) 2. 6 5 22 Addendum (signature pages).pdf (3 pages) 3. Coversheet for 6 5 22 Response.pdf (1 page) Filing not completed by the Court.
6/9/22 0119AM	Documents emailed to Deputy Clerk of Court, requesting electronic filing include the following: 1. 6 5 22 Response (Notice of Denial of Loss Mitigation) (Corrected Page 8 Page Numbers).pdf (30 pages) 2. 6 5 22 Addendum (signature pages).pdf (3 pages) 3. Certificate of Service.pdf (4 pages) Filing not completed by the Court.
6/12/22	Documents mailed to Deputy Clerk of Court, requesting filing include the following [FedEx tracking #274232295758]: 1. Signed one (1) page letter addressed to Clerk of Court, dated June

	<p>12, 2022.</p> <ol style="list-style-type: none"> <li>2. Printed re-signed, version of 6 5 22 Response (Notice of Denial of Loss Mitigation).pdf (30 pages), single-sided</li> <li>3. Copy of printed re-signed, version of 6 5 22 Response (Notice of Denial of Loss Mitigation).pdf (30 pages), single-sided</li> <li>4. Self-addressed mailer for the return of the copy once filed.</li> </ol> <p>Filing not completed by the Court.</p>
6/17/22 422PM	Return postage [United States Postal Service, Click-N-Ship, Tracking #274232295758] for copy of filed documents, emailed to Deputy Clerk of Court.
6/20/22 0643 AM	<p>Documents successfully filed with the Lexington County Courthouse include the following:</p> <ol style="list-style-type: none"> <li>1. Signed one (1) page letter addressed to Clerk of Court, dated June 12, 2022.</li> <li>2. Printed re-signed, version of 6 5 22 Response (Notice of Denial of Loss Mitigation).pdf (30 pages), single-sided</li> <li>3. Copy of printed re-signed, version of 6 5 22 Response (Notice of Denial of Loss Mitigation).pdf (30 pages), single-sided</li> <li>4. Self-addressed mailer for the return of the copy once filed.</li> </ol>
6/24/22 0729 AM	Deputy Clerk of Court electronically notified that copy of 6/20/22 0643AM filed documents not received.
6/27/22 439PM	Deputy Clerk of Court electronically notified that copy of 6/20/22 0643AM filed documents were retrieved from my mailbox around 1:50pm.
7/1/22 249-321 PM 7/5/22 842 AM	[US Bank National [Plaintiff] filed Order to Referee to Special Referee [citing mutual agreement with Defendant, which is incorrect <u>as I was never informed</u> ]; order granted by Lexington Courthouse on 7/5/22 [in FOUR DAYS, including a federal holiday].
7/6/22 211 AM	<p>Documents emailed to Deputy Clerk of Court, requesting electronic filing include the following:</p> <ol style="list-style-type: none"> <li>1. 7 6 22 Letter +Response with Signatures.pdf (2 pages) <ul style="list-style-type: none"> <li>--Letter to Clerk of Court, signed July 6, 2022 (1 page)</li> <li>--Defendant's Response—to Plaintiff July 5, 2022 Filed Documents, signed July 6, 2022 (1 page)</li> </ul> </li> <li>2. 7 4 22 Response with Signatures(4 pages) <ul style="list-style-type: none"> <li>-- Defendants Response—to Plaintiff July 1, 2022 Filed Documents—with Second Request for Production and a Certificate of Service, signed July 4, 2022 (4 pages)</li> </ul> </li> </ol> <p>Filing not available for public viewing as of 7/7/22 1233 AM. [NOTE: Hand-delivered document, filed 7/6/22 832 AM, also not available for public viewing at 1233 AM [16 hour delay], but available at 232PM.]</p>

7/6/22 1011 AM	Documents emailed to Deputy Clerk of Court, requesting electronic filing include the following: 1. Certificate of Service: Addendum [jpg file] (1 page) Filing not available for public viewing as of 7/7/22 1233 AM. [NOTE: Hand-delivered document, filed 7/6/22 832 AM, also not available for public viewing at 1233 AM [16 hour delay], but available at 232PM.]
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*Materials attached and filed in support of this Motion for Change in Venue (3 pages)*

*include the following:*

- *July 6, 2022 Certificate of Service: Addendum VERIFICATION, signed 7/11/22 (3 pages)*
- *July 8, 2022 Certificate of Service UPDATE AND VERIFICATION, signed 7/11/22 (3 pages)*
- *Motion and Order Information Form and Coversheet, Change in Venue (State to Federal Jurisdiction), signed 7/13/22 (1 page).*
- *Letter to Clerk of Court, signed 7/13/22 (1 page).*

*[Total page count: 11 pages]*

### **CERTIFICATE OF SERVICE**

*I HEREBY CERTIFY the following documents were mailed with appropriate postage to*

*US Bank National via appointed Counsel on July 13, 2022:*

*Addressed To: Hutchen's Law Firm, PO Box 8237, Columbia, SC 29202*

*July 6, 2022 Certificate of Service: Addendum VERIFICATION, signed 7/11/22 (3 pages)*

- *July 8, 2022 Certificate of Service UPDATE AND VERIFICATION, signed 7/11/22 (3 pages)*



- [This present document] *MOTION FOR CHANGE IN VENUE (STATE TO FEDERAL JURISDICTION) AND CERTIFICATE OF SERVICE*, signed 7/13/22 (3 pages)
- *Letter to Clerk of Court*, signed 7/13/22 (1 page).
- **NOT PROVIDED:** *Motion and Order Information Form and Coversheet, Change in Venue (State to Federal Jurisdiction)*, signed 7/13/22.

In the DISCUSSION section of Federal Order, dated January 23, 2023, it is stated  
 "...Notably lacking from Defendant's Response, however, is an objection to the Magistrate Judge's Report..."

	Magistrate Judge's Report	This Defendant's Previously Filed Objection
	Filed December 2, 2022	
1.	Denied Motion to seal request for Witness Security Program. "... Defendant makes only a general statement and has failed to present any compelling reason for the court to seal her motion..."[Notice of Electronic Filing, December 5, 2022 8:58 AM and filed on December 2, 2022]	Four enclosures provided with <u>Defendant's Response and Motion</u> (4 pages) [signed December 17, 2022] detailed specific occurrences warranting the Court to seal her motion for Witness Security Program request:  <i>I MOTION FOR THE FOLLOWING ENCLOSED DOCUMENTS TO BE <b>SEALED</b> ::</i> <ul style="list-style-type: none"> <li>✓ <i>Obstruction of Justice (20 pages)</i></li> <li>✓ <i>Theft #1 (9 pages)</i></li> <li>✓ <i>Theft #2 (5 pages), Investigation Request (2 pages)</i></li> <li>✓ <i>Delay in Payment (29 pages)</i></li> </ul>
2.	Denied Motion requesting court include this Defendant and family members in the Witness Security Program. "...the court lacks jurisdiction to grant Defendant's motion..." [Notice of Electronic Filing,	<u>Defendant's Response and Motion</u> (4 pages) [signed December 17, 2022] request for <b>Court assistance in notifying</b> the Department of Justice remains unanswered:  <i>NOTE: Suspected Targeting events are numerous and include but not limited to child's education, motor vehicle records, mail tampering (including missing and opened mail—other Federal agencies have been and</i>

	December 5, 2022 8:56 AM and filed on December 2, 2022]	will be notified). "NOTICE OF HOME ACQUISITION" Page 95 of 95 provides insight into the basis of these persistent occurrences. *DEPARTMENT OF JUSTICE NOTIFICATION AND INVOLVMENT IS WARRANTED AND REQUESTED.*
3.	"...A federal court should remand the case to state court if there is no federal subject matter jurisdiction evident from the face of the notice of removal and any state cour pleadings provided....Plaintiff sought enforcement under South Carolina law of a promissory note and foreclosure on property secured by a mortgage... There is no federqal jurisdiction over a complaint that 'merely states a cause of action for enforcement of a promissory note and foreclosure of the associated security interest in real property.'... Defendant cites to no federal statute to support removal. [Report and Recommendation, Filed December 2, 2022]	<p><u>Defendant's Response and Motion</u> (4 pages) [signed December 17, 2022] outlines detailed occurrences of partial treatment, including egregious civil and legal right violations that occurred at State level; which gives rise to Federal jurisdiction:</p> <ol style="list-style-type: none"> <li>1. Plaintiff demanded Guardian ad litem application be submitted by Defendant (Page 9 of 95); Defendant subsequently requested removal due to non-meritorious request (Page 20 of 95).</li> <li>2. On August 3, 2022, Defendant received "NOTICE TO OCCUPANTS OF PENDING ACQUISITION" within sixty to ninety days (Page 2 of 95).</li> <li>3. On August 20, 2022, a Notice of Hearing was received by Defendant regarding a foreclosure hearing before the Honorable James O. Spence, Master in Equity (Pages 3-5 of 95). <ol style="list-style-type: none"> <li>a. On page 6 of 95, Defendant asks the following question:  <u>Question: If US Bank National, ...has acquired the rights to 123 Cardinal Pines Drive, Lexington, SC 29073 [DATED 7/28/22 AND NOT FILED WITH THE COURT], then why now has US Bank National scheduled a meeting [FILED 8/18/22] with the Honorable James O. Spence, Master-in-Equity, "...for the purpose of taking testimony, finding of facts and conclusions of law and to enter final judgment therein without further order of the court"? Has not US Bank National already obtained a final judgement without lawful judicial process?</u></li> </ol> </li> <li>4. The Hearing was subsequently cancelled; and a Status Conference was scheduled for the same day, September 13, 2022, at 1030am (Pages 1-2 of 13). As listed on the Lexington County Public Index [<a href="https://publicindex.sccourts.org/Lexington/publicindex/">https://publicindex.sccourts.org/Lexington/publicindex/</a>], on September 1, 2022 13:48, Plaintiff filed "Master/Exhibit/Affadavit of Attorney Fees (Affadavit of Attorney Fees" (3 pages). In Number 4 Section A</li> </ol>

		<p><i>"Nature, Extent, and Difficulty of Legal Services Rendered", US Bank National states <b>"A hearing was held by the Master..."</b> If this is true, why was the Defendant not made aware of such a hearing? In addition, this Defendant objected to this case being referred to the Master and according to SC Judicial law, this case was to be IMMEDIATELY returned to the Court... (Page 3 of 13). Thus Plaintiff admits to attending a hearing with the Master—without the Defendants awareness or attendance—PRIOR to September 13, 2022 Status Conference.</i></p> <p>5. <i>Since the Status Conference, communication has been primarily electronic as per type document received. Defendants September 16, 2022 letter addresses the concerning events surrounding the Honorable Walton J. McLeod , IV, order striking the case from the active roster (State filed 9/27/22 and 11/18/22).</i></p> <p>6. <i>Request to Change Venue (State to Federal Jurisdiction) was originally submitted July 8, 2022 and then a Motion was submitted on 7/13/22 AFTER Defendant experienced consistent injustices, including but not limited to unaddressed Motions [i.e., Motion to Compel, Motion for Jury Trial], and being denied the right to file a document occurred. In addition, Defendants Motion for State Court to initiate transfer "sua sponte" remains unanswered (dated 10/4/22, filed 10/18/22).</i></p> <p>7. <i>Since this Defendant's 12/3/22 electronic notification of Federal filing for change of venue and 12/13/22 submission of current Federal Response received, the only response received was US Bank National (Attorney Kay) objection to Federal documents being filed in State Court on 12/3/22. Moreover, that this Defendant is aware of, the Federally filed documents still have not been filed at the State level. delayed filing of submitted documents have been a recurrent issue. To date, Lexington County Courthouse remains unresponsive to this Defendant.</i></p> <p style="padding-left: 40px;">a. <i>12/2/22 231AM email, with three attachments totaling 101 pages, sent notifying State Court, Plaintiff, and Co-Defendant of Federal filing.</i></p> <p style="padding-left: 40px;">b. <i>12/9/22 826AM email regarding missing mail [the United States Postal Service was</i></p>
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		<p>notified].</p> <p>c. 12/13/22 538 AM email with 37-page attachment including Federal documents received on 12/7/22.</p> <p>8. Since filing 95-paged "NOTICE OF HOME ACQUISITION" [mailed 8/24/22; delivered 8/25/22; filed 9/1/22], two suspicious deaths have occurred. This Defendant motions this Court to notify the Department of Justice for her, her family, and other witnesses inclusion into the Witness Protection Program.</p> <p>9. Egregious civil and legal rights violations have occurred during State judicial process. [See "NOTICE OF HOME ACQUISITION"; LETTER TO HONORABLE JAMES O. SPENCE, HONORABLE LISA CROMER, AND HONORABLE MONA HUGGINS, dated 9/7/22 (filed 9/8/22).</p> <p>This Defendant requests the transfer to Federal Jurisdiction as per the reasons detailed above, as this case transcends and encompasses more than SC State (Page 95 of 95)</p>
4.	<p>"...Therefore, Defendant cannot remove the action based on diversity grounds, as she is considered a South Carolina citizen under the law. See ECF No. 1 at 1 (providing her address as "lexington, SC")..." [Report and Recommendation, Filed December 2, 2022]</p>	<p>This Defendant is a resident of the State of New York, of which both State and Federal Courts are aware. Thus, this case has Federal subject matter jurisdiction.</p>
5.	<p>"...Plaintiff has failed to specify the grounds for removal..."[Report and Recommendation, Filed December 2, 2022]</p>	<p>As already noted above, grounds for removal include:</p> <ul style="list-style-type: none"> <li>• Partial treatment/Civil/Legal Rights Violations:: Specific occurrences were provided in Table form, on pages 1-3 of the <u>Motion for Change in Venue (State to Federal Jurisdiction and Certificate of Service</u> [signed July 13, 2022; State Filed July 15, 2022; Federal filed November 28, 2022]</li> <li>• Partial treatment/Civil/Legal Rights Violations: Specific occurrences were provided in detail in <u>Notice of Home</u></li> </ul>

		<p><u>Acquisition</u> [signed August 24, 2022; State Filed September 1 2022; Federal filed November 28, 2022]</p> <ul style="list-style-type: none"> <li>Partial treatment/Civil/Legal Rights Violations: Specific occurrences provided under <u>Cause of Action (Statement of Claim)</u> [signed November 28, 2022; State filed December 2, 2022]:</li> </ul> <p><i>In the interest of justice, I submit this request for transfer to Federal Jurisdiction with the following facts (as outlined in attached "NOTICE OF HOME ACQUISITION" (95 pages):</i></p> <ul style="list-style-type: none"> <li>4/20/22: Filed Motion to Compel; remains unaddressed by Plaintiff and current Court. (Page 18 of 95)</li> <li>6/8/22: Hindered (denied right) filing hand-delivered document to current Court. (Page 32 of 95)</li> <li>7/15/22: Filed Motion to Change Venue (State to Federal Jurisdiction); remains unaddressed by current Court. (Page 7 of 95)</li> <li>8/3/22: Received "NOTICE TO OCCUPANTS OF PENDING ACQUISITION" without this Defendant's proper involvement and inclusion in judicial process. (Page 2 of 95)</li> <li>8/20/22: Received Notice of Hearing before Master in Equity despite this Defendants filed objection with current Court.. (Pages 3-6, 74 of 95)</li> <li>"Acknowledgement" (of foundational basis of case) remains unaddressed by current Court (Page 95 of 95).</li> </ul> <p>Lastly, both State and Federal Courts are aware this Defendant is residing in New York (though District Court mail is not being received at the current New York address despite this Defendant's request).</p>
6.	<p>"... Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation... Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right</p>	<p>The following documents were filed with the District Court in support of this Defendants submitted complaint [NOTE: a summary is being provided for each document to detail inclusion purposes] :</p> <p><i>Motion for Witness Security Program</i> [filed December 1, 2022]</p> <p>SUMMARY: Requesting inclusion due to being an essential witness to organized crime and</p>

<p>to appeal from a judgement of the District Court based upon such Recommendation..."[Report and Recommendation, Filed December 2, 2022]</p>	<p>racketeering; serious Federal felony and State offenses; and given testimony may place witness in jeopardy.</p> <p><i>Motion to seal the Motion for Witness Security Protection</i> [filed December 2, 2022]</p> <p>SUMMARY: Disclosed concerns for safety.</p> <p>Specific, written objections were included in <u>Defendants Response and Motion</u> (4 pages) on December 17, 2022 as detailed above.</p>
<p><b>Filed January 23, 2023</b></p>	
<p>"...DISCUSSION...the court finds Defendant fails to raise a specific objection to the Report. Instead Plaintiff submitted what appears to be her summary of proceeding before the state court dating back to August and September 2022... She also includes pages of email chains and iMessages between her and her former employers regarding her direct deposit account... She includes a letter she wrote to staff at the Lexington County Courthouse complaining of their policies and procedures... She also filed another copy of her answer, which was previously filed with the 95 pages of state court documents filed at the time this case was removed to federal court... These examples are</p>	<p>The following documents were filed with the District Court in support of this Defendants submitted complaint [NOTE: a summary is being provided for each document to detail inclusion purposes] :</p> <p><i>5/2/22Response to Informal [Electronic] Contacts and April 28, 2022 Mailed Letter (Received April 30, 2022)—2 pages—with Letter of Hardship, dated 10/2/21 –1 page—and US Department of Housing and Urban Development letter, dated 4/11/22—1 page (TOTAL PAGES, 4):</i></p> <p>SUMMARY: Provides detailed, specific objections to the Plaintiff's complaint/request for foreclosure.</p> <p><i>"LETTER TO HONORABLE JAMES O. SPENCE, HONORABLE LISA CROMER, AND HONORABLE MONA HUGGINS" [dated 9/7/22)—13 pages</i></p> <p>SUMMARY: Provides detailed, specific occurrences of partial treatment experienced (i.e. filing delay of Defendant-submitted documents; specific Plaintiff documents not profiled online that support Defendant's raised concerns; unanswered Defendant request for compelling Plaintiff to comply legal mandates and filed requests)</p> <p><i>"LETTER TO HONORABLE JAMES O. SPENCE,</i></p>

<p>representative of the kinds of material found through the filing..."</p>	<p><i>HONORABLE WALTON J. MCLEOD, HONORABLE LISA CROMER, AND HONORABLE MONA HUGGINS" [dated 9/16/22)—3pages</i></p> <p>SUMMARY: Provides detailed, specific occurrences that give rise to why the Motion to Change Venue from State to Federal Jurisdiction should be granted (i.e. State Court responsive to Plaintiff request Order/Strike Case From Active Roster within 16 hours, while Defendant continues to wait for State Court to address Motion to Compel, Requests for Production etc, filed months ago. In addition, Plaintiff filed document indicating meeting with Master in Equity without this Defendant's knowledge, giving rise to Plaintiff sending Defendant Notices of Home Acquisition without proper judicial process.) Investigation requested.</p> <p><i>10/4/22 ADDENDUM TO MOTION FOR CHANGE IN VENUE (STATE TO FEDERAL JURISDICTION)—1 page</i></p> <p>SUMMARY: Defendants request for Lexington County Courthouse to initiate the Change in Venue (State to Federal Jurisdiction) <u>sua sponte</u>.</p> <p><i>12/2/22 231AM email, with three attachments totaling 101 pages, sent notifying State Court, Plaintiff, and Co-Defendant of Federal filing.</i></p> <p>SUMMARY: Federal filing notification</p> <p><i>12/9/22 826AM sent email entitled "Mail" sent to Lexington County Courthouse, US Bank National (via Appointed Counsel), and Co-Defendant (2 pages).</i></p> <p>SUMMARY: Suspected targeting episode (missing mail)</p> <p><i>12/13/22 538 AM sent email entitled "File Request" (1 page) with Pages 1, 2, and 37 (3 pages) of 37-paged attachment, entitled "CERTIFICATE OF ELECTRONIC SERVICE AND FEDERAL DOCUMENTS".</i></p>
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		<p>SUMMARY: Defendant's Federal documents electronically filed with State Court on December 2, 2022 still not profiled online/filed with State Court as of December 12, 2022. Additional copies of Federally filed documents provided.</p> <p><i>Asset update (1 page):</i></p> <p>SUMMARY: Disclosing acquisition of new asset for In Forma Pauperis status.</p> <p>Summary of documents motioned to be SEALED include:</p> <ul style="list-style-type: none"> <li>• Obstruction of Justice (20 pages): Detailed timeline of derailment of Federal Case # 3:20-cv-00054-BJD-PDB in Florida and the Appeal (No. 21-11611), with events similar [if not identical] in nature to the occurrences outlined above. This Defendant believes these cases are connected to current foreclosure case.</li> <li>• Theft #1 (9 pages): Detailed account of invasion of privacy and financial fraud/attempted theft with two associated businesses.</li> <li>• Theft #2 (5 pages), Investigation Request (2 pages): Detailed account of careful planning and coordination of two associated business to complete financial fraud and theft. One business was requested to investigate; this Defendant has not received a response.</li> <li>• Delay in Payment (29 pages): Detailed account of careful coordination between three businesses breaching this Defendants timely, written requests regarding cessation of direct deposits; ultimately, causing a payment delay.</li> <li>• <u>Follow Up</u>, signed January 14, 2023 (6 pages) [USPS tracking# 9505515064423014664585]: Follow up to January 14, 2023 telephone correspondence with Federal Court including New York address provided; State Court document provided not profiled online [11/28/22 Federal-filed Notice of Home Acquisition, signed (95 pages;</li> </ul>
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		<p>signed 8/24/22; State filed 9/1/22; emailed 12/2/22; State-filed 12/14/22)); targeting continues [i.e., mail tampering; vehicle-related; dependent-related], requesting Witness Protection.</p> <p>January 14, 2023 744am email "Fw: Mail" sent to Lexington County Courthouse (Your Honors Spence, Cromer, Huggins, and Faircloth; US Bank via Attorney Kay; and Palmetto Citizens Federal Credit Union via Attorney Weston; 3 pages): ...I am checking in to determine if any new updates or correspondences; the last update listed online is my "Certificate of ElectronicService and Federal Documents" signed 12/12/22 [filed 12/28/22 425pm]. Also, since I have not received a response yet from anyone to my 12/9/22 827 am correspondence (attached below), I am unsure if I am to continue to communicate with Lexington CountyCourthouse and US Bank (via Appointed Counsel) directly while pursuing transfer to Federal Jurisdiction; this is the reason for my silence at the State level. Please advise the following: 1. Any updates at the State level since 12/9/22 ? 2. Are we still only corresponding by email or has that changed? 3. Am I to continue to correspond with you (State Court and US Bank) despite my known/written concerns at the State level while pursuing Federal transfer, with my request for Witness Protection due to safety concerns? If we are required to continue to communicate, will we do so electronically as dictated during and after the Status Conference? If I do not receive a response, then I will know to continue to only communicate with the Federal Court...</p> <p>January 14, 2023 745am email "Duplication" sent to Lexington County Courthouse (Your honor Cromer and Huggins; US Bank via Attorney Kay; and Palmetto Citizens Federal Credit Union via Attorney Weston; 1 page): ... 1. There appears to be a duplicate file posted "12/14/22-10:50" online of the following document: "IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA: Civil Coversheets with 2-Page Attachments, dated November 28, 2022", signed 12/2/22. There are three documents with the same posted date and time as noted above. Again, the first two documents appear to be duplicates as</p>
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	<p><i>the third document is "MOTION FOR CHANGE IN VENUE (STATE TO FEDERAL JURISDICTION) AND CERTIFICATE OF SERVICE" signed 7/13/22...</i></p> <ul style="list-style-type: none"> <li>• Targeting (Dependent), signed January 16, 2023 (35 pages) [USPS tracking9505514359553017477139]: Detailed account of covert, calculated, malicious harmful activity directed at this Defendant's son.</li> </ul> <p>This Defendant believes all of the above are continuations of the coordinated targeting she has been experiencing. Hence, her motioning the Court for Federal transfer and Department of Justice notification for investigation and Witness Protection initiation.</p>
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Despite mailing the Notice of Appeal and Informal Brief on February 10, 2023 to US District Court of South Carolina and the Informal Brief electronically transmitted to the US Appeals Court for the Fourth Circuit on February 15, 2023, I received a request from the Appeals Court on March 4, 2023, to again file the Informal Brief, this time by March 13, 2023; this was completed on March 6, 2023. Next, after not receiving a response from U.S. Bank National or the Court of Appeals, I submitted *RESPONSE TO INFORMAL BRIEF REPLY [if any]* on March 25, 2023 to ensure compliance with the timeline set forth by the US Court of Appeals for the Fourth Circuit. U.S. Bank National would later allege timely filing an informal brief, even presenting the said document; however—in response to my April 10, 2023 letter for a status update—the Court of Appeals, stated in their April 14, 2023 letter that "...As of this date, the Appellee has not filed a response to your informal brief." Yet, U.S. Bank National was not held accountable for yet **another** breach of the law.

As provided to US Court of Appeals for the Fourth Circuit on February 10, 2023 ; and the US District Court of South Carolina on November 28, 2023 and mailed December 17, 2023, in the

interest of justice, Defendant requested transfer to Federal Jurisdiction with an investigation into Court practices with the following facts (as outlined in "NOTICE OF HOME ACQUISITION" (95 pages) [dated 8/24/22; State filed 9/1/22; Federal filed 11/28/22]:

- *4/20/22: Filed Motion to Compel; remains unaddressed by Plaintiff and current Court. (Page 18 of 95)*
- *6/8/22: Hindered (denied right) filing hand-delivered document to current Court. (Page 32 of 95)*
- *7/15/22: Filed Motion to Change Venue (State to Federal Jurisdiction); remains unaddressed by current Court. (Page 7 of 95)*
- *8/3/22: Received "NOTICE TO OCCUPANTS OF PENDING ACQUISITION" without this Defendant's proper involvement and inclusion in judicial process. (Page 2 of 95)*
- *8/20/22: Received Notice of Hearing before Master in Equity despite this Defendants filed objection with current Court.. (Pages 3-6, 74 of 95)*
- *"Acknowledgement" (of foundational basis of case) remains unaddressed by current Court (Page 95 of 95).*
- Documents motioned to be sealed [due to request for Department of Justice notification and investigation]:
  - Obstruction of Justice (20 pages)
  - Theft #1 (9 pages)
  - Theft #2 (5 pages), Investigation Request (2 pages)
  - Delay in Payment (29 pages)

Despite knowing the above facts, the US District Court of South Carolina remanded the case back to Lexington County Courthouse on January 23, 2023, citing

... “...Notably lacking from Defendant’s Response, however, is an objection to the Magistrate Judge’s Report...”. Instead Plaintiff submitted what appears to be her summary of proceeding before the state court dating back to August and September 2022... She also includes pages of email chains and iMessages between her and her former employers regarding her direct deposit account... She includes a letter she wrote to staff at the Lexington County Courthouse complaining of their policies and procedures... She also filed another copy of her answer, which was previously filed with the 95 pages of state court documents filed at the time this case was removed to federal court... These examples are representative of the kinds of material found through the filing...”

Within the jurisdiction of this Court, it is requested to determine if and why it took well over 6 months for the U.S. Court of Appeals for the Fourth Circuit to determine whether it had authority to rule in this case. Was it truly a lack of jurisdiction...or something else. Also, why US District Court of South Carolina did remanded this case back to Lexington County Courthouse despite the overwhelming evidence of judiciary compromise. Lastly, why has neither Court addressed U.S. Bank National’s multiple breeches of the law.

### **REASONS FOR GRANTING THE PETITION**

The egregious circumstances provided above underscore U.S. Bank National’s persistent attempts to obscure the truth and subvert law. Overturning the Federal mandate to provide all documents to the State-level Court would prevent interference with Federal investigations and negative public view of several businesses before Federal investigation commences. However, since this Defendant was notified by the November 29, 2023 letter from the Supreme Court Clerk’s Office, “Nothing is sealed in this Court...the petition and all related documents will be made available to the public”, she unsealed information with the understanding that she will not be held liable at all for any and all adverse effects to persons, businesses, and/or entities or any and all associates detailed in

the documents or in association with them, as this Defendant reluctantly complied with Court requirements.

The experiences of Officer Pisciotta after reporting the truth of what he saw in "Whistleblower prison guard paid the price for reporting abuse", is symmetrical to my families experience since I lawfully reported what I saw occurring. In addition, Prison Legal News article, "Florida's Department of Corrections: A Culture of Corruption, Abuse, and Deaths" appears to capture what I have seen and experienced. Again, Department of Justice notification is warranted and requested.

This foreclosure case is connected to Federal Case No 3:20-cv-00054-BJD-PDB, U.S. District Court Middle District of Florida and Federal Appeal Case No 21-11611, with US Court of Appeals for the Eleventh Circuit. As detailed in the two notarized Affidavits in Appendix D, these two cases, which were suspected criminally derailed, were a mouthpiece for thousands of American citizens who are limited or unable to speak for themselves, as to what they have suffered; and what this Defendant witnessed. Again, this current foreclosure case solely developed because of the above listed cases; thus giving credence to its true nature-- frivolous, unlawful, and based in retaliation. The Supreme Court Case 23M16, Green v US Bank National is no longer Under Seal and in summary requests sanctions against the mirage of perpetrators, both individuals and businesses alike, who have participated in the retaliatory efforts. In addition, the suspected recent murderous attempt on my life [and my child if he would have been present at the time of the "accident"] and the suspicious "accidental" death of the son of another suspected target, Donna Washington Farmer, gives rise for federal investigation into home-grown terrorism. I expect such "accidents" to continue; thus I am humbly requesting expedited processing of this petition and witness protection initiated, please. The Defendant invokes the jurisdiction of the Supreme Court of the United States under 28 U. S. C. § 1254(1).

A plethora of attempts to obscure truth and subvert justice have occurred and continues to occur;

thus the filing of this petition for a Writ of Certiorari. This case is of national importance as it encompasses the following:

1. Judicial employees operating in contradiction to the very oath the public expects them to adhere to: "...do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me...under the Constitution and the laws of the United States. So help me God."
2. The harm of American citizens attempting to be concealed in a discrete, coordinated effort by several persons and/or entities. In addition, the undermining of due process, ultimately negatively affecting every American citizen.
3. The calculated manner a supposed pillar of society, U.S. Bank National, uses to subvert the laws of the United States of America, including the Constitution of the United States and the Civil Rights Act of 1964. To not hold U.S. Bank National accountable for this frivolous lawsuit would be a silent vote for lawlessness to continue, thus destroying our society and the very fabric of our constitutional federal republic from the inside out. Printed on the back of the American dollar bill are the words "IN GOD WE TRUST". It is written in Ecclesiastes 8:11, *Because sentence against an evil work is not executed speedily, therefore the heart of the sons of men is fully set in them to do evil.* Thus, this case presents issues of importance beyond the particular facts and parties involved.

#### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Mitchemgren

Date: 12/20/23