

No. 23-912

In the  
**Supreme Court of the United States**

DORA L. ADKINS,  
*Petitioner,*  
v.

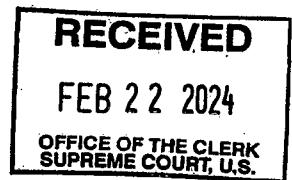
THE RITZ-CARLTON HOTEL COMPANY, L.L.C.,  
*Respondent.*

**On Petition for Writ of Certiorari to the United  
States Court of Appeals for the Fourth Circuit**

**PETITION FOR A WRIT OF CERTIORARI**

Dora L. Adkins, Pro Se  
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February 19, 2024



## QUESTIONS PRESENTED

- I. Whether the U.S. Court of Appeals for the Fourth Circuit (“Fourth Circuit”) properly AFFIRMED the district court’s and magistrate judge’s orders. Pet. Appendix A.
- II. Whether the U.S. Court of Appeals for the Fourth Circuit (“Fourth Circuit”) properly DENIED Petitioner’s *Petition for Rehearing and Rehearing En Banc*. Pet. Appendix I.
- III. Whether the U.S. District Court for the Eastern District of Virginia (“District Court”) properly VACATED the Entry of Default; GRANTED Defendant/Respondent Motion to Set Aside Entry of Default (Dkt. 29, 31) and DENIED Plaintiff/Petitioner’s Motion for Default Judgment (Dkts. 25, 35). Pet. Appendix D.
- IV. Whether the U.S. District Court for the Eastern District of Virginia (“District Court”) properly DENIED Plaintiff/Petitioner’s Motion for Reconsideration of the Court’s August 14, 2023, Order (Dkt. 55). Pet. Appendix E.
- V. Whether the U.S. District Court for the Eastern District of Virginia (“District Court”) Order properly DENIED Plaintiff/Petitioner’s “Motion for Leave from the Court to Seal All Related Documents.” Pet. Appendix F.
- VI. Whether the U.S. District Court for the Eastern District of Virginia (District Court) properly STRICKEN Plaintiff/Petitioner’s “Notice of Hearing for Default Judgment,” (Dkt. 56) and

“Letter to the Court,” (Dkt. 57). Pet. Appendix G.

VII. Whether the U.S. District Court for the Eastern District of Virginia (“District Court”) properly ~~DISMISSED WITH PREJUDICE~~ Plaintiff/Petitioner Dora L. Adkins’ (“Adkins”) Proposed Complaint and Amended Complaint. Whether the U. S. District Court for the Eastern District of Virginia (“District Court”) properly DENIED Plaintiff/Petitioner “Motion for Leave from the Court to File an Emergency Complaint,” (Dkt. 1) and “Motion for Leave from the Court to File an Amended Emergency Complaint,” (Dkt. 3). Pet. Appendix H.

## **PARTIES TO THE PROCEEDING**

Petitioner Dora L. Adkins was the plaintiff in the district court proceedings, plaintiff/appellant in the court of appeals proceedings and is petitioner in this Court. The Ritz Carlton Hotel Company, L.L.C., was the defendant in the district court, defendant/appellee in the court of appeals and is respondent in this Court.

## **CORPORATE DISCLOSURE STATEMENT**

Pursuant to this Court's Rule 29.6, petitioner state as follows:

Petitioner has no parent corporations, and no shareholders own 10% or more of their stock.

## **RELATED CASES**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*Adkins v. HBL, LLC.*, Docket Number 1:17-0074-TSE-TCB, U.S. District Court for the Eastern

District of Virginia, Alexandria Division; Judgment entered 2017.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

***Adkins v. Driftwood Special Servicing, LLC.***, Docket Number 1:22-cv-00109-AJT-IDD, U.S.

District Court for the Eastern District of Virginia,  
Alexandria Division; Judgment entered 2022.

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

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

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

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

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

TOTAL = 39

**CASES FILED WITH THE FAIRFAX COUNTY  
CIRCUIT COURT:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**TOTAL = 16**

**CASES FILED WITH THE ALEXANDRIA CIRCUIT COURT:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TOTAL = 14

*CASES FILED WITH CIRCUIT COURT FOR ARLINGTON COUNTY:*

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

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

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

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

TOTAL = 5

*CASES FILED WITH CIRCUIT COURT FOR  
FREDERICKSBURG:*

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

TOTAL = 1

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

*Adkins v. Chipotle Mexican Grill, Inc.*, Circuit  
Court for Manassas; Judgment entered.

TOTAL = 1

*CASES APPEALED TO FOURTH CIRCUIT COURT  
OF APPEALS FROM U.S. DISTRICT COURT  
FROM THE EASTERN DISTRICT OF VIRGINIA,  
ALEXANDRIA DIVISION:*

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

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

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

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

**REHEARING AND REHEARING EN BANC:**

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

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

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

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

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

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

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

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

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

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

**REHEARING AND REHEARING EN BANC:**

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

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

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

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

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

**REHEARING AND REHEARING EN BANC:**

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

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

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

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

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

**REHEARING AND REHEARING EN BANC:**

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

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

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

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

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

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

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

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

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

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

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

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

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

*Adkins v. The Ritz Carlton Hotel Company, L.L.C.*, Docket Number 23-2024, Fourth Circuit Court of Appeals; Judgment entered 2023.

**REHEARING AND REHEARING EN BANC:**

*Adkins v. The Ritz Carlton Hotel Company, L.L.C.*, Docket Number 23-2024, Fourth Circuit Court of Appeals; Judgment entered December, 2023.

**TOTAL = 41**

**PETITIONS SUBMITTED TO THE U.S. SUPREME COURT:**

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

**REHEARING:**

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

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

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

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

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

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

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

*Adkins, Petitioner v. Whole Foods Market Group, Inc.*; Docket for 19-8198; United States Supreme Court; Judgment entered May 18, 2015; Judgment entered June 08, 2020.

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

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

*Adkins v. Fitness International, LLC.*, Docket Number 22-2297, United States Supreme Court; Judgment entered October 2023.

***APPLICATIONS:***

*Dora L. Adkins, Applicant v. Ashford TRS Alexandria, LLC., Docket for 22-1024*

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

*Dora L. Adkins, Applicant v. Fitness International, LLC., Docket for 22A1049*

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

**TOTAL** = 25

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

**REHEARING:**

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

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

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

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

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

TOTAL = 54

BACKGROUND: 197 Complaints and Petitions

Combined. Each of the Petitions were filed first with the following Circuit Court or District Court: Fairfax County Circuit Court; U.S. District Court Alexandria Division; Circuit Court for Arlington County; Circuit Court for City of Alexandria; Circuit Court for City of Manassas; Circuit Court for City of Fredericksburg.

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

GRAND TOTAL = 197

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**TABLE OF AUTHORITIES****Cases**

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**PETITION FOR WRIT OF CERTIORARI**

Petitioner, Dora L. Adkins, respectfully asks that a writ of certiorari issue to review the judgment issued by the United States Court of Appeals for the Fourth Circuit that affirmed by unpublished per curiam opinion and wrote the following: On November 28, 2023, the Fourth Circuit wrote, “We have reviewed the record and find no reversible error.” “Accordingly, we grant Adkins’ motions to supplement her informal brief and for leave to file an informal reply brief, grant her motion and her amended motion to withdraw her supplemental informal brief, and affirm the district court’s and magistrate judge’s orders. *Adkins v. Ritz-Carlton Hotel Co., LLC*, No. 1:22-cv-00934-CMH-WEF (E.D. Va. July 11, Aug. 14, Aug. 29, Sept. 7, Sept. 11 & Sept. 25, 2023). We deny Adkins’ motions to reverse and remand...” (Dkt. No. 11, Dkt. No. 12). Pet. Appendix A, pg. 1.

On December 6, 2023, the Petitioner filed a *Petition for Rehearing and Rehearing En Banc*. On December 29, 2023, an “Order,” to the Petitioner’s *Petition for Rehearing and for Rehearing En Banc* was DENIED. Pet. Appendix I, pg. 20. (Dkt. No. 76).

**PER CURIAM BELOW**

The Per Curiam of the United States Court of Appeals for the Fourth Circuit was filed on November 28, 2023, and is attached as Pet. Appendix A, pg. 1. The United States Court of Appeals for the Fourth Circuit’s Per Curiam, Judgment, and “Order,” for the *Petition for Rehearing and Rehearing En Banc*, are attached as Pet. Appendix A-B, and I, pg. 1, 4, 20. The U.S. District Court for the Eastern District of Virginia

(Orders, Dated, July 11, 2023, (not appealed), Aug. 14, 2023, Aug. 29, 2023, Sept. 7, 2023, Sept. 11, 2023, & Final Order, Dated, Sept. 25, 2023), are attached as Pet. Appendix C-H, pg. 5, 7, 11, 14, 16, 18.

### **JURISDICTION**

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1). The decision of the United States Court of Appeals for the Fourth Circuit for which Petitioner seeks review was issued on November 28, 2023. Pet. Appendix A, pg. 1. The United States Court of Appeals for the Fourth Circuit affirmed the District Court's and Magistrate Judge's Orders without ruling on Petitioner's Informal Opening Brief. Petitioner in a *Petition for Rehearing and Rehearing En Banc* argued this Clear Error in Petitioner's Brief, but the *Petition for Rehearing and Rehearing En Banc* was DENIED in the Fourth Circuit's Order, Dated, December 29, 2023. Pet. Appendix I, pg. 20. Petitioner's *Petition for Rehearing and Rehearing En Banc* provides for an extension of filing time until March 26, 2024, but Petitioner finds herself in an EMERGENCY because why attempting to complete this Petition, Petitioner was FOOD POISONED in a Hotel's Restaurant and has been forced to live back outdoors while both recovering from food poisoning and attempting to file the Petition early and/or for an expedited review.

### **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

N/A.

## STATEMENT OF CASE

### **A. Facts Giving Rise To This Case**

In the case of *Dora L. Adkins v. The Ritz-Carlton Hotel Company, L. L. C.*, Law Case No. 1:22-cv-00934-CMH/WEF, Plaintiff/Petitioner entered into a Contract with the Defendant/Respondent, The Ritz-Carlton Hotel Company, L. L. C., located at 1700 Tysons Blvd., McLean, VA 22102, telephone number: (703) 506-4300 from Friday, August 12, 2022, through Sunday, August 16, 2022.

Plaintiff/Petitioner checked into The Ritz-Carlton Hotel on Friday, August 12, 2022, after living outdoors for 70-days and nights; and from July 22, 2022, through August 8, 2022; (as stated in number 2) and from extreme fear of being murdered. On August 9, 2022, Plaintiff/Petitioner stayed at Home2 by Hilton located in Richmond, VA and on August 11, 2022, Plaintiff/Petitioner stayed at the Residence Inn by Marriott located in Richmond, VA and outdoors between the two different stays.

Plaintiff/Petitioner was SOLD Guest Room #1719 at The Ritz-Carlton Hotel, located at Tyson's Corner which should have been placed OUT-OF-ORDER because Guest Room #1719 had NOT been cleaned after the last Guest's use which included a dirty bathroom with a speck of #2 on the outer white cloth shower curtain; the bathtub had not been cleaned; the toilet had not been cleaned; and the sink had an offensive smell coming from it. The bed linens had not been changed out from the last Guest's use; and a couple of red spots were found on the blanket which appeared to be blood. Plaintiff/Petitioner

requested some clean sheets and pillowcases upon Plaintiff/Petitioner's check-in at the Front Desk of The Ritz-Carlton Hotel.

The Draperies hanging on the windows inside Guest Room #1719 smelled old and dusty and would not close properly, so Plaintiff/Petitioner had to use an end table to pull one side of the draperies over the other side because Guest Room #1719 faced office buildings. Plaintiff/Petitioner ate some chocolate covered almond provided as refreshments inside the Mini Refrigerator in Guest Room #1719 that must be paid for by the Guests that were stuck to the bottom of the tin can. Plaintiff/Petitioner explained to Alda, Housekeeping Supervisor that the chocolate covered almonds were either expired and/or not keep at a proper temperature to prevent the melting and sticking completely to the bottom of the tin can. Alda, Housekeeping Supervisor provided the Plaintiff/Petitioner with a brand-new tin can of chocolate covered almonds and Plaintiff/Petitioner shook the tin can to show Alda, Housekeeping Supervisor that the new tin can of chocolate covered almonds were fresh. There was clearly a language barrier between Alda and the Plaintiff/Petitioner because even though all of the chocolate covered almonds at the bottom were stuck and Plaintiff/Petitioner offered reasons why the chocolate covered almonds were stuck to the tin can, Alda stated, "no," to being expired and "no," to being exposed to heat. Plaintiff/Petitioner would not have eaten the chocolate covered almonds had the container not been tightly covered with heavy duty plastic.

The more serious concern and/or problem was a dirty bathroom in Guest Room #1719 that was not cleaned from the last Guest's use. The white cloth outer shower curtain had a speck of #2 on it and the two white floor mats were not clean with clear signs of having been used by prior Guests inside Guest Room #1719. The overall bathroom was left untouched from the last Guest's use; such as, a dirty bathroom floor; dirty commode; dirty bathtub; dirty place where the shampoo, conditioner, and bath gel is keep on a rack because when Alda, Housekeeping Supervisor removed the used shampoo, conditioner, and bath gel the three containers left circles where it had been used by the last Guest and not cleaned up; also all of the seals were broken on the shampoo, conditioner, bath gel bottles, and Plaintiff/Petitioner requested new bottles of shampoo, conditioner, bath gel, because Plaintiff/Petitioner's hair needed washing. The inside of the main door showed fingerprints and not having been disinfected from the last Guest's use.

### **B. The District Court Proceedings**

"On August 16, 2022, Plaintiff/Petitioner filed a Motion for Leave to file an Emergency Complaint together with a Motion for Leave to Proceed in *in forma pauperis*. On August 16, 2022, Plaintiff/Petitioner filed an Amended Emergency Complaint. On August 25, 2022, the Court granted Plaintiff/Petitioner's Motion for Leave to Proceed in *in forma pauperis*.

On February 14, 2023, Plaintiff/Petitioner filed a Motion for Leave from the Court to Seal All Related Documents. On February 22, 2023, the District Court Ordered that Plaintiff/Petitioner in twenty (20) days

Show Cause, if any they can, why this case should not be dismissed pursuant to F.R. Civ. P. 4(m). On March 6, 2023, Plaintiff/Petitioner submitted Plaintiff/Petitioner's Motion for Leave to Show Cause along with three Exhibits. On March 6, 2023, the District Court Sealed Exhibits attached to the Motion for Order to Show Cause. On March 6, 2023, Plaintiff/Petitioner filed supporting Affidavit and Attachments of Exhibit 1, Exhibit 2, and Exhibit 3. On March 6, 2023, the District Court also Sealed Exhibits in Affidavit.

On March 16, 2023, Plaintiff/Petitioner filed Continuation of the Motion for Leave from the Court to Show Cause. On March 27, 2023, The District Court Ordered that Plaintiff/Appellant's Motion for Leave was Granted and Plaintiff/Petitioner's time for serving her Amended Complaint was extended for a period of twenty-one days. On March 30, 2023, the District Court provided a Proposed Summons to Plaintiff/Petitioner's Amended Complaint. On April 30, 2023, Summons issued to be served by private process server to The Ritz Carlton Hotel Company, L.L.C. On April 10, 2023, Summons returned Executed on The Ritz Carlton Hotel Company, L.L.C.

On May 1, 2023, the Defendant/Respondent, The Ritz-Carlton Hotel Company, L.L.C., filed A Motion to Dismiss for Failure to State a Claim with *Roseboro*. Along with a Memorandum in Support of Motion to Dismiss for Failure to State a Claim with *Roseboro*. On May 3, 2023, Plaintiff/Petitioner filed a Response in Opposition to Defendant/Respondent, The Ritz Carlton Hotel Company, L.L.C., *Roseboro Notice*. And Motion to Dismiss for Failure to State a Claim

with *Roseboro*. On May 3, 2023, Plaintiff/Petitioner filed Plaintiff/Petitioner's Opposition to Defendant/Appellee, The Ritz-Carlton Hotel Company, L.L.C., *Roseboro Notice*. On May 8, 2023, Plaintiff/Petitioner filed Affidavit in Support of Plaintiff/Petitioner's Response in Opposition to Motion to Dismiss and to *Roseboro Notice*. On May 15, 2023, Plaintiff/Respondent filed an Affidavit. Plaintiff/Petitioner's Additional Affidavits to Defendant/Respondent Falsely Claiming Plaintiff/Petitioner Failed to State a Claim for Intentional Infliction of Emotional Distress.

On July 11, 2023, the District Court Ordered that "Plaintiff/Petitioner obtain a default from the Clerk pursuant to F.R. Civ. P. 55(a). "The Plaintiff/Petitioner to file a motion for Default Judgment and an Accompanying Memorandum Setting Forth the Factual and Legal Support for Findings that (a) This Court has subject matter and personal jurisdiction, including how each defaulting defendant was served and why that service was proper; (b) the complaint alleges facts establishing all the necessary elements of one or more claims which relief can be granted; and (c) plaintiffs can receive the damages and any other relief sought, with specific references to affidavits, declarations, or other evidence supporting such relief, and it is further ordered that Plaintiff/Petitioner file a Notice setting the hearing on the motion for default judgment for 10:00 a.m., on Friday, August 11, 2023, before magistrate judge to whom this action is referenced and mail copies of the notice, motion, and memorandum to each defaulting defendant at the defendant's last known address, certifying the same to the Court."

On July 14, 2023, Plaintiff/Petitioner requested Entry of Default as to the Defendant/Respondent, The Ritz Carlton Hotel Company, L.L.C. Plaintiff/Petitioner included Affidavit in Support of Motion for Entry of Default and Proposed Entry of Default. On July 14, 2023, Plaintiff/Petitioner submitted a Memorandum in Support for a Motion for Entry of Default Judgment as to Defendant/Respondent, The Ritz Carlton Hotel Company, L.L.C., along with Exhibit 1; Exhibit 2; and Exhibit 3.

On July 14, 2023, Plaintiff/Petitioner Noticed a Hearing Date of August 11, 2023, for a Motion for Default Judgment. On July 18, 2023, the Clerk of the District Court Entry of Default as to The Ritz Carlton Hotel Company, L.L.C.

On July 19, 2023, Plaintiff/Petitioner submitted Correction to Defendant/Respondent's last known Address. On July 19, 2023, Plaintiff/Petitioner's requested for Entry for Default as to Defendant/Respondent, The Ritz-Carlton Hotel Company, L.L.C., along with attachment of Exhibit 1 Affidavit in Support of Motion for Entry, and Proposed Entry of Default. On July 19, 2023, Plaintiff/Petitioner filed a Motion for Entry of Default Judgment as to Defendant/Respondent, The Ritz-Carlton Hotel Company, L.L.C., along with Attachment #1 Affidavit in Support of Motion for Entry of Default Judgment, #2 Proposed Default Judgment. On July 19, 2023, Plaintiff/Petitioner filed a Memorandum in Support for a Motion for Entry of Default Judgment as to Defendant/Respondent, The Ritz-Carlton Hotel Company, L.L.C., along with Exhibit #1; Exhibit #2; and Exhibit #3. On July 19, 2023, Plaintiff/Petitioner

Noticed a Hearing Date Set for Motion for Entry of Default Judgment as to The Defendant/Respondent, The Ritz-Carlton Hotel Company, L.L.C. (Dkt. 33, 34, 35, 36, 37).

On June 20, 2023, the District Court Set Deadline as to Motion for Default Judgment. Motion Hearing was set for 8/11/2023 at 10:00 AM in Alexandria Courtroom 500 before Magistrate Judge Willian E. Fitpatrick. (Dkt. 37).

On July 21, 2021, the Defendant/Respondent, the Ritz Carlton Hotel Company, L.L.C., filed a Motion to set Aside Default, Motion to Dismiss with *Roseboro* by the Defendant/Respondent, the Ritz-Carlton Hotel Company, L.L.C. On July 21, 2021, the Defendant/Respondent, the Ritz-Carlton Hotel Company, L.L.C., filed its Memorandum in Support for Motion to set Aside Default, Motion to Dismiss with *Roseboro*. On July 21, 2021, the Defendant/Respondent, the Ritz-Carlton Hotel Company, L.L.C., Amended its Motion to Set Aside Default, and Amended its Motion to Dismiss with *Roseboro*. (Dkt. 29, 30, 31).

On July 21, 2023, the District Court wrote the following: 'This matter is before the Court on Plaintiff's Motion for Default Judgment (the Motion) (Dkt. 25). Plaintiff/Petitioner Noticed a hearing of the Motion for August 11, 2023. (Dkt. 27). However, the undersigned hereby Ordered that the Hearing of Plaintiff/Petitioner's Motion for Default Judgment (Dkt. 25) is rescheduled to August 19, 2023, at 10:00 AM before the undersigned.

On July 21, 2023, the District Court Set/Reset Deadlines as to Motion for Default Judgment as to Motion Hearing Reset for 8/18/2023 at 10:00 AM in Alexandria Courtroom 500 before Magistrate Judge Willian E. Fitzpatrick.

On July 24, 2023, the District Court Vacated Per ECF 51. Clerk's Entry of Default as to The Ritz-Carlton Hotel Company, L.L.C., Modified on 8/14/2023. On July 24, 2023, the District Court wrote the following: "This matter is before the Court on Defendant, The Ritz-Carlton Hotel Company, L.L.C., Amended Motion to Set Aside Default. Finding that a hearing will aid the Court in resolving this matter, it is hereby Ordered that the parties shall appear for hearing of Defendant, The Ritz-Carlton Hotel Company, L.L.C., Amended Motion to Set Aside Default on August 18, 2023. On August 24, 2023, the District Court wrote Set/Reset Deadlines as to Amended Motion to Set Aside Default Amended Motion to Dismiss with *Roseboro*. Motion Hearing set for 8/16/2023 at 10:00 AM in Alexandria Courtroom 500 before Magistrate Judge Willian E. Fitzpatrick. (Dkt. 38, 39).

On July 25, 2023, the District Court Set Deadline as to Motion for Default Judgment. Motion hearing set for 8/18/2023 at 10:00 AM in Alexandria 500 before Magistrate Judge Willian E. Fitzpatrick.

On July 25, 2023, Plaintiff/Petitioner filed Opposition to Defendant/Respondent's Corrected Motion to Set Aside of Default and Dismiss in Amended Motion to Set Aside Default Amended Motion to Dismiss with *Roseboro*. On July 25, 2023, Plaintiff/Petitioner's Opposition to Defendant/

Respondent's Memorandum in Support of Defendant/Respondent's Motion to Set Aside of Entry and Default and in Memorandum in Support of Motion to Set Aside Default Motion to Dismiss Motion to Dismiss with *Roseboro*. On July 25, 2023, Plaintiff/Appellant's Affidavits in Support of Plaintiff/Petitioner's Memorandum in Support of Opposition to Defendant/Respondent's Memorandum in Support of Defendant/Respondent's Motion to Set Aside of Entry and Default and Default and Dismiss, Attachments include Exhibit 1; Exhibit 2; and Exhibit 3. On July 25, 2023, Plaintiff/Petitioner responded to Defendant/Respondent's Motion to Set Aside of Entry and Default and Dismiss with *Roseboro*. On July 25, 2023, Plaintiff/Petitioner's Response to *Roseboro Notice* to Motion to Set Aside Default Motion to Dismiss with *Roseboro*. (Dkt. 40).

On August 1, 2023, Plaintiff/Petitioner's Additional Response to Plaintiff/Petitioner's Opposition to Defendant/Appellee's Motion to Set Aside of Entry and Default and Dismiss Motion to Set Aside Default Motion to Dismiss with *Roseboro*. On August 2, 2023, Plaintiff/Petitioner filed Additional Responses to Plaintiff/Petitioner's Opposition to Amended Motion to Set Aside Default Judgment Motion to Dismiss with *Roseboro*. On August 2, 2023, Plaintiff/Petitioner submitted a letter to the District Court. On August 8, 2023, Plaintiff/Petitioner Reply to Opposition to Plaintiff/Petitioner's Motion for Default Judgment filed by The Ritz Carlton Hotel Company, L.L.C., Attachment 1, and Attachment 2. (Dkt. 46, 47, 50).

August 14, 2023, the District Court Ordered that Defendant's Motion to Set Aside Entry of Default Granted and the Clerk shall vacate the entry of default as to Defendant; it is further," (Dkt. 51).

**"ORDERED that Plaintiff's Motion for Default Judgment (Dkt. 25, 35) is DENIED, it is further,"**

**"ORDERED that Defendant shall re-file its Motion to Dismiss within twenty-one (21-days and set or waive a hearing pursuant to Local Rule 7(E) or show cause why default should not be entered." (Dkt. 51).**

On August 22, 2023, Plaintiff/Petitioner filed a Motion for Leave from the Court for Reconsideration of an Order, Dated August 14, 2023. (Dkt. 55). On August 23, 2023, The Defendant/Respondent, The Ritz-Carlton Hotel Company, L.L.C., filed a Motion to Dismiss with *Roseboro* and also filed a Proposed Order. (Dkt. 52). On August 23, 2023, the Defendant/Respondent, The Ritz-Carlton Hotel Company, L.L.C., filed a Memorandum in Support for a Motion to Dismiss with *Roseboro*. On August 23, 2023, the Defendant/Respondent, The Ritz-Carlton Hotel Company, L.L.C., filed a Notice of Hearing Date for 9/15/2023 and for a Motion to Dismiss with *Roseboro*.

On August 23, 2023, the Plaintiff/Petitioner's Motion for a Notice to the Court was Stricken by the District Court. On August 23, 2023, Plaintiff/Petitioner's Letter to the Judge was Stricken by the District Court. On August 23, 2023, Plaintiff/Petitioner Corrected the Certificate of Service on the Motion for Leave from Court for

Reconsideration of the Order, Dated, August 14, 2023. (Dkt. 58).

On August 24, 2023, the District Court set the Deadline as to Motion to Dismiss with *Roseboro*. Motion Hearing set for 9/15/2023 AM in Alexandria 800 before District Judge Claude M. Hilton.

On August 29, 2023, The District Court Ordered that Plaintiff/Petitioner's Motion for Reconsideration of the Court's August 14, 2023, Order (DKT. 66) is Denied. On August 30, 2023, Plaintiff/Petitioner submitted Notice of Re-submission of All Documents Previously Filed. On August 30, 2023, Plaintiff/Petitioner Filed *Roseboro Notice*. On August 30, 2023, Plaintiff/Petitioner filed Response in Opposition to Motion to Dismiss. On August 30, 2023, Plaintiff/Petitioner filed Affidavits. On September 7, 2023, the District Court Ordered Plaintiff/Petitioner's Motion Denied. On September 12, 2023, the District Court Ordered Plaintiff/Petitioner's Notice and Letter are hereby Stricken. On September 14, 2023, the District Cort wrote: "Motion Hearing deadline terminated – Per CMH chambers, motion set for 9/15/2023 will be decided on the papers; no oral argument will be heard."

On September 25, 2023, the District Court ORDERED that Defendant's Motion to Dismiss is GRANTED. Plaintiff/Petitioner's Proposed Complaint and Amended Complaint against Defendant are dismissed *with prejudice*. Accordingly, it is FURTHER ORDERED that Plaintiff/Petitioner's Motion for Leave from the Court to File an Emergency Complaint (Dkt. 1) and Motion for Leave from the Court to File an Amended Emergency Complaint (Dkt. 3) are

DENIED. The Clerk of the Court shall not file further motions submitted by Plaintiff/Petitioner without prior approval of the Court in re17 Motion to Dismiss for Failure to State a Claim. Signed by District Judge Claude M. Hilton on 9/25/2023.

### C. The Appellate Court Proceedings

The Plaintiff/Petitioner filed a timely Notice of Appeal with the United States District Court for the Eastern District on September 26, 2023, that ordered the following: "ORDERED that Defendant's Motion to Dismiss is GRANTED. Plaintiff/Petitioner's proposed Complaint and Amended Complaint against Defendant/Respondent are dismissed *with prejudice*. Accordingly, it is FURTHER ORDERED that Plaintiff/Petitioner's Motion for Leave from the Court to File an Emergency Complaint (Dkt. 1) and Motion for Leave from the Court to File an Amended Emergency Complaint (Dkt. 3) are DENIED," (EXHIBIT #1) entered in this action on the 25<sup>th</sup> day of September, 2023. Other related Orders in this case include Order, Dated, September 11, 2023; Order, Dated, September 7, 2023; and Order, Dated, August 29, 2023, and Order, Dated August 14, 2023. NOTE: The main Orders to beAppealed are Dated, September 25, 2023, (EXHIBIT #4), August 29, 2023, (EXHIBIT #3), August 14, 2023, to (EXHIBIT #2), July 11, 2023, and (EXHIBIT #1)."

On October 2, 2023, the Fourth Circuit Court of Appeals requested Record from Clerk of Court [1001448918]. Due: 10/16/2023. 23-2024. On October 2, 2023, the Fourth Circuit Court of Appeals wrote the following: "INFORMAL BRIEFING ORDER filed. Mailed to: Dora Adkins. [1001448915] Informal

Opening Brief due 10/26/2023. Informal response brief, if any: 14 days after informal opening brief served. 23-2024" (Dkt. 2). On October 2, 2023, the Fourth Circuit Court of Appeals wrote the following: Case docketed. Originating case number: 1:22-cv-00934-CMH-WEF. Case manager: REdwards. (Dkt. 1).

On October 4, 2023, Appearance of Counsel by William W. Miller for Ritz-Carlton [1001450485] [23 – 2024]. (Dkt. 4). On October 10, 2023, Disclosure Statement by Ritz-Carlton. Was any question on Disclosure Form answered, yes? Yes. (Dkt. 5). On October 12, 2023, Informal Opening Brief by Dora L. Adkins [1001458827] [23 – 2024]. (Dkt. 6). On October 12, 2023, Motion by Dora L. Adkins to reverse and remand case. [1001454833] [23 – 2024]. (Dkt. 7). On October 19, 2023, Supplemental Informal Opening Brief by Dora L. Adkins. [1001458827] [23 – 2024]. (Dkt. 8). On October 19, 2023, Motion by Dora L. Adkins to reverse decision on appeal and to remand case. [1001458832] [23 – 2024]. (Dkt. 9). On October 19, 2023, Motion by Dora L. Adkins to reverse decision on appeal and to remand case. [1001458832] [23 – 2024] RE [Entered: 10/19/2023 04:15 PM. (Dkt. 10).

On October 20, 2023, Document referencing [9] Motion to supplement – received additional copy of motion through the mail. Original one docketed on 10/19/2023 by Dora L. Adkins. [1001459504] [23 – 2024] RE [Entered: 10/20/2023 04:12 PM. (Dkt. 11). On October 20, 2023, Motion by Dora L. Adkins to reverse decision on appeal and to remand case [1001495512] [23 – 2024] RE [Entered: 10/20/2023 04:10 PM. (Dkt. 12). On October 20, 2023, Document

referencing [9] Motion to Supplement – received additional copy of motion through the mail. Original one docketed on 10/19/2023 by Dora L. Adkins. [1001459504] [23 – 2024]. (Dkt. 13). On October 23, 2023, Motion by Ritz-Carlton to extend filing time for informal response brief until November 2, 2023. Date and Method of service. 10/23/2023. U.S. Mail. [10014460297] [23 – 2024]. (Dkt. 14).

On October 23, 2023, ORDER filed granting Motion to extend filing time [14]. Number of days granted; 14. Any informal Response Brief due 11/02/2023. Copies to all parties. Mailed to Dora L. Adkins. [1001460332]. (Dkt. 15). On October 30, 2023, Motion by Dora L. Adkins to withdraw Plaintiff/Petitioner's supplemental informal opening brief filed on October 19, 2023, in person and same filed on October 20, 2023, by certified return receipt. [1001464893] [23 – 2024]. (Dkt. 16). On October 30, 2023, Response Answer by Dora L. Adkins to appellee motion for extension to file informal response [15]. [1001464903] [23 – 2024]. (Dkt. 17).

On November 2, 2023, Informal Response Brief by Ritz-Carlton. [1001466507] [23 – 2024] William Miller. (Dkt. 18). On November 2, 2023, Document referencing [16] Motion to Withdraw – Same as DE 16 but this one appears to have been delivered by Dora L. Adkins. [1001468978] [23 – 2024]. (Dkt. 19). On November 6, 2023, Motion by Dora L. Adkins for leave to file informal reply brief. [1001468979] [23 – 2024]. (Dkt. 20). On November 6, 2023, Informal Reply Brief by Dora L. Adkins. [1001468979] [23 – 2024]. (Dkt. 21). On November 16, 2023, Amended Motion by Dora L. Adkins to withdraw Plaintiff/Petitioner's

supplemental informal opening brief filed on October 19, 2023, in person and same filed on October 20, 2023, by certified return receipt. Date and method of service. 11/16/2023 U.S. Mail. [1001476146] [23 – 2024]. (Dkt. 22). On November 16, 2023, Amended Response Answer by Dora L. Adkins to [14] appellee motion for extension to file informal response. Name of response in opposition [1001476153] [23 – 2024]. (Dkt. 23). On November 28, 2023, the Fourth Circuit Court of Appeals AFFIRMED the District Court's Order. (Dkt. No. 76).

On December 29, 2023, the Fourth Circuit Court of Appeals DENIED Petitioner's *Petition for Rehearing and for Rehearing En Banc*.

As a matter of law, Plaintiff/Petitioner established she has suffered an extreme & debilitating injury of emotional distress damages that satisfy the \$75,000 amount *in controversy* limit. Virginia cap on punitive damages. ... Virginia statute § 8.01-38.1 places a cap of \$350,000 on punitive damages courts may award to punish wrongdoers. Plaintiff/Petitioner will use the Virginia cap on punitive damages to meet the \$75,000 requirement for the amount *in controversy* limit.

**REASONS FOR GRANTING THE PETITION****I. EVIDENCE SHOWS AND PROVES THE FOURTH CIRCUIT COURT OF APPEALS COMMITTED A CLEAR ERROR WHEN IT AFFIRMED THE DISTRICT COURT'S ORDERS WITHOUT RULING ON THE PETITIONER'S INFORMAL OPENING BRIEF**

There are grounds and/or reasons for vacating, reversing, and remanding the Fourth Circuit's Opinion, Dated, November 28, 2023, and Order, Dated, December 29, 2023; and the District Court's Orders, Dated, August 14, 2023, August 29, 2023, September 7, 2023, September 11, 2023, Final Order, Dated, September 25, 2023, to the Order, Dated, July 11, 2023, that Granted the Plaintiff/Petitioner's rights to an Entry of Default and Default Judgment but *because of* Clear Errors through an Order, Entry of Default was Set Aside and Plaintiff's Motion for Default Judgment was DENIED. Pet. Appendix A, pg. 1, Pet. Appendix I, pg. 20; Pet. Appendix C, D, E, F, G, H. pg. 4, 5, 7, 11, 14, 16, 18.

**II. APPELLATE REVIEW OF FOURTH CIRCUIT AND DISTRICT COURT'S ORDERS**

A. Whether the U.S. Court of Appeals for the Fourth Circuit ("Fourth Circuit") properly AFFIRMED the district court's and magistrate judge's orders. Pet. Appendix A.

Based on the Facts, Proof, and Evidence, the Fourth Circuit did not properly AFFIRM the district court's and magistrate judge's orders in its Opinion,

Dated, November 28, 2023, because Plaintiff/Petitioner's Informal Opening Brief was not ruled upon.

B. Whether the U.S. Court of Appeals for the Fourth Circuit ("Fourth Circuit") properly DENIED Petitioner's *Petition for Rehearing and Rehearing En Banc*. Pet. Appendix I.

Based on the Facts, Proof, and Evidence, the Fourth Circuit did not properly DENY Petitioner's *Petition for Rehearing and Rehearing En Banc* in its Order, Dated, December 29, 2023, because the Informal Opening Brief had not been ruled upon. Pet. Appendix I.

C. Whether the U.S. District Court for the Eastern District of Virginia ("District Court") properly VACATED the Entry of Default; GRANTED Defendant Motion to Set Aside Entry of Default (Dkt. 29, 31) and DENIED Plaintiff's Motion for Default Judgment (Dkts. 25, 35). Pet. Appendix D.

Based on the Facts, Proof, and Evidence, the District Court did not properly VACATE the Entry of Default; the Defendant's Motion to Set Aside Entry of Default should not have been Granted; and Plaintiff's Motion for Default Judgment should have been GRANTED. Pet. Appendix D.

D. Whether the U.S. District Court for the Eastern District of Virginia ("District Court") properly DENIED Plaintiff's Motion for Reconsideration of the Court's August 14, 2023, Order (Dkt. 55). Pet. Appendix E.

Based on the Facts, Proof, and Evidence, the District Court did not properly DENY Plaintiff's Motion for Reconsideration of the Court's August 14, 2023, Order, because the Motion for Reconsideration should have been GRANTED. Pet. Appendix E.

E. Whether the U.S. District Court for the Eastern District of Virginia ("District Court") properly DENIED Plaintiff's "Motion for Leave from the Court to Seal All Related Documents," in its Order, Dated, September 7, 2023. Pet. Appendix F.

Based on the Facts, Proof, and Evidence, the District Court did not properly DENY Plaintiff's "Motion for Leave from the Court to Seal All Related Documents," in its Order, Dated, September 7, 2023. Pet. Appendix F.

F. Whether the U.S. District Court for the Eastern District of Virginia (District Court") properly STRICKEN Plaintiff's "Notice of Hearing for Default Judgment," (Dkt. 56) and "Letter to the Court," (Dkt. 57). Pet. Appendix G.

Based on the Facts, Proof, and Evidence, the District Court did not properly STRICKEN Plaintiff's "Notice of Hearing for Default Judgment," (Dkt. 56) and "Letter to the Court," but because of the following prior Errors made when the "Entry of Default was VACATED; the Defendant's Motion to Set Aside Entry of Default was Granted; and Plaintiff's Motion for Default Judgment was DENIED," the District Court was left with no other choice. Pet. Appendix G.

G. Whether the U.S. District Court for the Eastern District of Virginia (“District Court”) properly DISMISSED WITH PREJUDICE Plaintiff Dora L. Adkins’ (“Adkins”) Proposed Complaint and Amended Complaint in its Final Order, Dated, September 25, 2023. Whether the U. S. District Court for the Eastern District of Virginia (“District Court”) properly DENIED Plaintiff’s “Motion for Leave from the Court to File an Emergency Complaint,” (Dkt. 1) and “Motion for Leave from the Court to File an Amended Emergency Complaint,” (Dkt. 3). Pet. Appendix H.

Based on the Facts, Proof, and Evidence, the District Court did not properly DISMISSED WITH PREJUDICE Plaintiff’s Proposed Complaint and Amended Complaint in its Final Order, Dated, September 25, 2023, because both Complaints were approved by the District Court and the Amended Complaint served upon the Defendant. And, Plaintiff’s “Motion for Leave from the Court to File an Emergency Complaint,” (Dkt. 1) and “Motion for Leave from the Court to File an Amended Emergency Complaint were Clear Errors when the Motions were DENIED. Pet. Appendix H.

### III. AN UNPRECEDENTED PETITION

More importantly, ANOTHER reason for Granting of the Petition is that this Petition is one of its kind in the History of the Supreme Court since its creation in 1789, and is unprecedeted, in that, the Petitioner died 18-Times from alleged Food and Chemical Poisoning and GOD through *GOD’s Divine Interventions* EACH and EVERY TIME allowed the Plaintiff/Petitioner to RE-LIVE. (See, Bold-Typed Related Cases of Approximately 45-Complaints in the

Related Cases Section of this Petition, Filed by the Petitioner that were Related to Food and Chemical Poisoning of the Petitioner of a Timeframe of 18 1/2-Years).

GOD has also performed 500-*Miracles* as it relates to the Plaintiff/Petitioner as Plaintiff/Petitioner awaits for Justice. Petitioner thanks GOD for ALL of *HIS GOODNESS*.

#### **IV. STANDARD OF APPELLATE REVIEW**

**The standard of review is Clear Errors.**

##### **A. PETITIONER ARGUES THAT THERE HAS BEEN CLEAR ERRORS MADE**

Whether the U.S. Court of Appeals for the Fourth Circuit (“Fourth Circuit”) committed a Clear Error when the district court’s and magistrate judge’s orders were AFFIRMED. Pet. Appendix A.

In Question I, this Honorable Court will review whether the Fourth Circuit properly AFFIRMED and committed a Clear Error in its Opinion, Dated, November 28, 2023, without ruling on Plaintiff/Petitioner’s Informal Opening Brief. Pet. Appendix A, pg. 1.

Based on the Facts, Proof, and Evidence, the Fourth Circuit committed a Clear Error when the district court’s and magistrate judge’s orders in its Opinion, Dated, November 28, 2023, were AFFIRMED without the ruling on Plaintiff/Petitioner’s Informal Opening Brief.

**B. PETITIONER ARGUES THAT THERE HAS BEEN CLEAR ERRORS MADE**

Whether the U.S. Court of Appeals for the Fourth Circuit (“Fourth Circuit”) committed a Clear Error in its Order, Dated, December 29, 2023, when Petitioner’s *Petition for Rehearing and Rehearing En Banc* was DENIED. Pet. Appendix I.

In Question II, this Honorable Court will review whether the Fourth Circuit properly DENIED and committed a second Clear Error in its Order DENIED Petitioner’s *Petition for Rehearing and Rehearing En Banc.*, Dated, December 29, 2023. Pet. Appendix I, pg. 20.

Based on the Facts, Proof, and Evidence, the Fourth Circuit committed a Clear Error in its Order, Dated, December 29, 2023, when Petitioner’s *Petition for Rehearing and Rehearing En Banc*, was DENIED. Pet. Appendix I.

**C. PETITIONER ARGUES THAT THERE HAS BEEN CLEAR ERRORS MADE**

Whether the U.S. District Court for the Eastern District of Virginia (“District Court”) committed a Clear Error when its Order, Dated August 14, 2023, VACATED the Entry of Default; GRANTED Defendant Motion to Set Aside Entry of Default (Dkt. 29, 31) and DENIED Plaintiff’s Motion for Default Judgment (Dkts. 25, 35). Pet. Appendix D.

In Question III, this Honorable Court will review the District Court’s Order, Dated, August 14, 2023, for Clear Errors when the Defendant was

GRANTED its Motion to Set Aside the Entry for Default. Pet. Appendix D, pg. 7.

Based on the Facts, Proof, and Evidence, the District Court committed a Clear Error when its Order, Dated, August 14, 2023, VACATED the Entry of Default; the Defendant's Motion to Set Aside Entry of Default should not have been Granted; and Plaintiff's Motion for Default Judgment should have been GRANTED. Pet. Appendix D.

**D. PETITIONER ARGUES THAT THERE HAS BEEN CLEAR ERRORS MADE**

Whether the U.S. District Court for the Eastern District of Virginia ("District Court") committed a Clear Error when Plaintiff's Motion for Reconsideration of the Court's August 14, 2023, Order was DENIED. (Dkt. 55). Pet. Appendix E.

In Question IV, this Honorable Court will review the District Court's Order, Dated, August 29, 2023, for Clear Error when the Plaintiff/Petitioner was DENIED A Motion for Leave from the Court for Reconsideration of the Order, Dated, August 29, 2023. Pet. Appendix E, pg. 11.

Based on the Facts, Proof, and Evidence, the District Court committed a Clear Error when Plaintiff's Motion for Reconsideration of the Court's August 14, 2023, Order was DENIED. Pet. Appendix E.

**E. PETITIONER ARGUES THAT THERE HAS BEEN CLEAR ERRORS MADE**

Whether the U.S. District Court for the Eastern District of Virginia ("District Court") committed a

Clear Error when Plaintiff's "Motion for Leave from the Court to Seal All Related Documents," was DENIED. Pet. Appendix F.

In Question V, this Honorable Court will review the District Court's Order, Dated, September 7, 2023, for a Clear Error when the Plaintiff/Petitioner was DENIED A Motion for Leave from the Court to Seal All Related Documents and/or the Court's File since some Documents are already under Seal. Pet. Appendix F, pg. 14.

Based on the Facts, Proof, and Evidence, the District Court committed a Clear Error Plaintiff's "Motion for Leave from the Court to Seal All Related Documents was DENIED. Pet. Appendix F.

#### **F. PETITIONER ARGUES THAT THERE HAS BEEN CLEAR ERRORS MADE**

Whether the U.S. District Court for the Eastern District of Virginia (District Court") committed a Clear when Plaintiff's "Notice of Hearing for Default Judgment," (Dkt. 56) and "Letter to the Court," (Dkt. 57) were STRICKEN in an Order, Dated, September 11, 2023. Pet. Appendix G.

In Question VI, this Honorable Court will review the District Court's Order, Dated, September 11, 2023, for a Clear Error when Plaintiff/Petitioner's "Letter to the Court," and "Notice of Hearing," for Default Judgment are required steps in requesting a Default Judgment. Pet. Appendix H, pg. 25.

Based on the Facts, Proof, and Evidence, the District Court committed a Clear Error when Plaintiff's "Notice of Hearing for Default Judgment,"

(Dkt. 56) and “Letter to the Court,” were STRICKEN in an Order, Dated, September 11, 2023, but because of the following prior Clear errors made when the “Entry of Default was VACATED; the Defendant’s Motion to Set Aside Entry of Default was Granted; and Plaintiff’s Motion for Default Judgment was DENIED,” was left with no other choice. Pet. Appendix G.

#### **G. PETITIONER ARGUES THAT THERE HAS BEEN CLEAR ERRORS MADE**

Whether the U.S. District Court for the Eastern District of Virginia (“District Court”) committed a Clear Error in its Final Order, Dated, September 25, 2023, when Plaintiff Dora L. Adkins’ (“Adkins”) Proposed Complaint and Amended Complaint were DISMISSED WITH PREJUDICE. Whether the U. S. District Court for the Eastern District of Virginia (“District Court”) committed a Clear Error when Plaintiff’s “Motion for Leave from the Court to File an Emergency Complaint,” (Dkt. 1) and “Motion for Leave from the Court to File an Amended Emergency Complaint,” (Dkt. 3) were DENIED. Pet. Appendix H.

In Question VII, this Honorable Court will review the District Court’s Final Order, Dated, September 25, 2023, for a Clear Error when the Order, Dated, July 11, 2023, was Reversed by the District Court in favor of the Defendant. The Amended Emergency Complaint had already been approved by the District Court to be Served upon the Defendant, The Ritz Carlton Hotel Company, L.L.C. Pet. Appendix C, H, pg. 5, 18.

In Question VII, this Honorable Court will review the District Court's "Final Order," Dated, September 25, 2023, for a Clear Error when the Plaintiff/Petitioner's "Order," of July 11, 2023, was disregarded and ANY and All Defenses Plaintiff/Petitioner argued in EVERY document filed by the Plaintiff/Petitioner went without review by the District Court. Pet. Appendix H, D pg. 18, 7.

Based on the Facts, Proof, and Evidence, the District Court committed a Clear Error when Plaintiff's Proposed Complaint and Amended Complaint were DISMISSED WITH PREJUDICE. And, further Clear Errors made when Plaintiff's "Motion for Leave from the Court to File an Emergency Complaint," (Dkt. 1) and "Motion for Leave from the Court to File an Amended Emergency Complaint were DENIED. Pet. Appendix H.

Plaintiff/Petitioner Researched "Clear Errors" through the Black Law Dictionary and/or a Related Case:

"To prevail, a movant must show that the Court, in considering the arguments before it, "committed a clear error of fact or law." *In re Energy Future Holdings Corp.*, 904 F.3d at 311."

"Put another way, the question is whether the Court's prior decision committed a "direct, obvious, [or] observable error" that demonstrated a "wholesale disregard" of controlling precedent. *In re Energy Future Holdings Corp.*, 904 F.3d at 312 (quoting *Manifest Injustice*, Black's Law

Dictionary (10th ed. 2014) and *Burritt v. Ditlefsen*, 807 F.3d 239, 253 (7th Cir. 2015)), Finally, for any such error to warrant reconsideration, it must “reasonably have resulted in a different conclusion,” *Keahey*, 2021 WL 5866877, at \*1 (quoting *Elgert v. Siemens Indus., Inc.* No. 17-cv-1985, 2019 WL 3976409, at \*5 (E.D. Pa. Aug. 22, 2019)).”

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

Ms. Adkins has cited compelling reasons warranting this Court’s Review of the Fourth Circuit Court of Appeals’ Opinion, Dated, November 28, 2023, affirming the District Court’s and magistrate judge’s orders. And an Order, Dated, December 29, 2023, that DENIED Petitioner’s *Petition for Rehearing and Rehearing En Banc*. Orders, Dated, July 11, 2023; August 14, 2023, August 29, 2023, September 7, 2023, September 11, 2023, Final Order, Dated, September 25, 2023; the Opinion is attached as Pet. Appendix A, pg. 1., and the Order, Denying Petitioner’s *Petition for Rehearing and Rehearing En Banc*. Pet. Appendix, I, pg. 20.

Plaintiff/Petitioner is asking this Honorable Court to Vacate, Reverse, and Remand the Fourth Circuit Court of Appeals’ Opinion, Dated, November 28, 2023, and Vacate, Reverse, and Remand the District Court’s ORDERS, Dated, August 14, 2023, August 29, 2023, September 7, 2023, September 11, 2023, Final Order, Dated, September 25, 2023. Pet. Appendix A, pg. 25 and C-I. pg. 25.

## **CONCLUSION**

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

Dated: February 19, 2024

Respectfully submitted,

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