

24-5020

Supreme Court, U.S.

FILED

JUL - 1 2024

OFFICE OF THE CLERK

In the
SUPREME COURT OF THE UNITED STATES

VELINA M JOHNSON

PETITIONER,

v.

INLAND RESIDENTIAL REAL ESTATE SERVICES, LLC, *ET. AL.*,

RESPONDENTS,

ON PETITION FOR A WRIT OF CERTIORARI TO
UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

PETITIONER'S MOTION TO EXPEDITE

Velina M Johnson, Pro Se
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RECEIVED

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

Pursuant to Supreme Court Rule 21, petitioner Velina M Johnson respectfully moves to expedite consideration of her Petition for Writ of *Certiorari* from the United States Court of Appeals for the Eleventh Circuit's Opinion dated April 3, 2024, affirming the dismissal of her case by the district court and the court's decision to deny petitioner's Motion to Vacate Judgment filed on April 23, 2024. The court denied petitioner's motion on June 21, 2024.

Federal Rules of Civil Procedure 60(b) states in relevant part: ...the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons: (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party; or (6) any other reason that justifies relief.

STATEMENT

This case involves principal tenant landlord housing issues that include federal agency U.S. Department of Housing and Urban Development noncompliance (Pet. App. D, M) of federal, state housing, and civil rights laws, "error in rulings" that contributed to landlord abuse, retaliation, and unlawful eviction of a tenant. Respondents' eviction of the petitioner ensued exclusive of any effort by the U.S. Department of Housing and Urban Development federal agency to apply all federal and state laws to protect a tenant and stay any retaliatory eviction during its ongoing housing investigation (Pet. App. D). Petitioner 'clearly' alleged her unlawful eviction during an ongoing federal housing investigation violated her rights under the "Fourteenth Amendment's" U.S. Const. amend. XIV., "Due Process"

(Pet. App. D, E, F. 23a, G, I, J. 28a, M. 38a), and the *Fair Housing Act of 1968*. 28 USC 1657(a) states in relevant part: ... “good cause” is shown if a right under the Constitution of the United States or a Federal Statute....would be maintained in a factual context that indicates that a request for expedited consideration has merit.

ARGUMENT

Expedited review is appropriate as this case involves important topics of interest to the public. This case comprises eviction of the fifty-eight-year-old petitioner by the respondents exclusive of any effort by the U.S. Department of Housing and Urban Development federal agency to apply all federal and state laws, proactively protect a tenant from a retaliatory eviction during the agency’s open housing investigation.

1. Respondents during the ongoing federal housing investigation, violated petitioner’s constitutional rights under the “*Fourteenth Amendment’s*” U.S. Const. amend. XIV., guarantee of “Due Process”, the Fair Housing Act of 1968. 28 USC 1657(a) states in relevant part: ... “good cause” is shown if a right under the Constitution of the United States or a Federal Statute (including rights under section 1826 of this title) would be maintained in a factual context that indicates that a request for expedited consideration has merit.

2. Petitioner clearly addressed allegations in the district court amended complaint. Date and time stamped evidence introduced to three lower courts prior to an appeal to the Eleventh Circuit Court of Appeals shows repeated instances of

“fraud on the court”, violations of federal and State of Alabama housing laws, respondents’ several violations of 11 USC 362(a)(3) and 11 USC 362(k)(1) federal bankruptcy laws, constitutional and civil rights, and repetitive “willful” acts of malice punishable under the “*Fourth Amendment*” (U.S. Const. amend. IV) as decided in *Thompson v. Clark*, 596 U.S. (2022).

3. The Eleventh Circuit Court of Appeals opinion to uphold the district court’s dismissal of petitioner’s case citing a “shotgun pleading” is contrary to the court’s final ruling in *Inform Inc v. Google LLC*, (11th Cir. Aug 26, 2022) resulting in reversal of a district court’s decision citing the complaint in was a “shotgun pleading”. The court ruled the plaintiff’s (Inform Inc.) amended complaint “although lengthy and perhaps unclear, the defendants were sufficiently put on notice of their violations” stated the amended complaint was not a “shotgun pleading” in violation of FRCP 8(a)(2) or FRCP 10(b) and elaborated that dismissal on shotgun pleading grounds in appropriate when “it is virtually impossible to know which allegations of fact are intended to support which claim(s) for relief”. It was also noted that while the complaint “is certainly long and may not be a paragon of clarity”, it did not prevent defendants from understanding the basis of plaintiff’s core claims and ruled that Inform Inc.’s amended complaint in *Inform Inc v. Google LLC*, (11th Cir. Aug 26, 2022) does not fail to give defendants notice of the claims against them and the grounds on which each claim rests.

4. Petitioner now supports her standing in this Court as her pleadings with substantial documented evidence and exhibits filed in two additional lower courts to

supports misconduct by the respondents and “plain error and manifest injustice” in denying petitioner’s constitutional rights and defense under “*Fourteenth Amendment’s*” U.S. Const. amend. XIV., guarantee of “Due Process”, 11 USC 362(a)(3), 11 USC 3629k)(1), the *Fair Housing Act of 1968*, 42 USC 3610(e)(1), 24 CFR 103.500(a)(b), and 24 CFR 115.204(b)(1)(i).

5. The district court Magistrate Judge’s recommendation to dismiss petitioner’s case stated in part: ... “Failure to file a written objection ...shall waive the right of the party to challenge on appeal any subsequent order...*except upon grounds of plain error or manifest injustice.*” Petitioner clearly restated her allegations along with exhibits as evidence of their offenses in her Motion for Reconsideration.

6. Petitioner requests expedited review of her Writ of *Certiorari* because petitioner’s amended complaint, pleadings and date and time stamped evidence in three lower courts, and the Motion to Supplement the Record on Appeal filed in the Eleventh Circuit Court of Appeals, elucidate that this Court, pursuant to 28 USC 1653, can reverse the court of appeals decision to affirm the district court’s decision based solely on the existence of “extraordinary circumstances”.

7. Expedited review is appropriate in this case as petitioner’s questions presented involve important topics of national interest surrounding landlord tenant federal and state law housing compliance, civil rights, U.S. Department of Housing and Urban Development negligence for failure to protect tenants from landlord retaliation and eviction during an ongoing federal housing investigation conducted

by the agency inclusive of abuse of a bankruptcy and federal fair housing laws to evict a tenant.

RELIEF REQUESTED

If the Court grants Petition for Writ of *Certiorari*, petitioner respectfully requests respondents be instructed to submit responses within 14 days of notification from the Court as an alternative of the 30-days allowed for any brief in opposition but also select and schedule this case and if selected for Oral Argument, also an expedited date to appear, as respondents were also challenged on these matters in three lower courts prior to the court of appeals. Petitioner is also prepared to expedite a brief should the Writ of *Certiorari* be granted by the Court. Rule 21.4 of this Court states in relevant part: ... In an appropriate case, the Court may act on a motion without waiting for a response.

CONCLUSION

For the foregoing reasons, the petitioner requests that the Court expedite consideration of the Petition for a Writ of *Certiorari*.

Date: July

Respectfully submitted,


Velina M Johnson, Pro Se
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Velina M Johnson, Petitioner,

v.

Inland Residential Real Estate Services, LLC, et. al, Respondents,

**PETITIONER'S MOTION TO EXPEDITE
CORPORATE DISCLOSURE STATEMENT**

Pursuant to Supreme Court Rule 29.6, Velina M Johnson discloses the following:

Petitioner is Velina M Johnson. Petitioner is the Appellant in the Eleventh Circuit Court of Appeals. Respondents are Inland Residential Real Estate Services, LLC, The Inland Real Estate Group of Companies, Inc., Montgomery Multifamily LLC, Montgomery Multifamily Exchange LLC, Montgomery Multifamily Leaseco, LLC, Bonnie Burris in Her Official Capacity as Regional Property Manager with Inland Residential Real Estate Services, LLC, Ashley Stoddart in Her Official Capacity as Property Manager, Brand Ambassador with Inland Residential Real Estate Services, LLC, LaQuinta King in Her Official Capacity as Regional Trainer, with Inland Residential Real Estate Services, LLC, and U.S. Department of Housing and Urban Development. Respondents are the appellees in the Eleventh Circuit Court of Appeals.

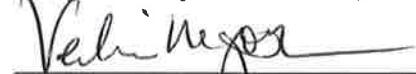
CERTIFICATE OF COMPLIANCE

Pursuant to Supreme Court Rules 21 and 33, I certify that the foregoing motion is proportionately spaced, has a typeface of Century Schoolbook, 12 points, and contains 5 pages (and 1,183 words).

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

Executed on July 1, 2024

Respectfully submitted,



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CERTIFICATE OF SERVICE

I, Velina M Johnson, Pro Se, do declare as required by Supreme Court Rule 29 I have on this date, July 1, 2024 served the enclosed PETITIONER'S MOTION TO EXPEDITE on each party to the above proceeding, or that party's counsel, and every other person required to be served by third-party commercial carrier FedEx for delivery within 3 calendar days to the following parties:

Montgomery Multifamily LLC, 2901 Butterfield Road, Oak Brook, IL 60523

Montgomery Multifamily Exchange LLC
2901 Butterfield Road, Oak Brook, IL 60523

Rebecca Ann Young, Wilson Elser, 1500 Urban Center Drive Suite 450,
Birmingham, AL 35242

U.S. Department of Housing and Urban Development
The Associate General Counsel for Litigation, Office of Litigation
U.S. Department of Housing and Urban Development
451 Seventh Street, S.W., Washington, D.C. 20410

Solicitor General of the United States, Room 5614
Department of Justice, 950 Pennsylvania Ave, N.W.
Washington, D.C. 20530-0001

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

Executed on July 1, 2024

Velina M. Johnson