

No. 24-5020

**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

PETITION FOR REHEARING

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Montgomery, AL 36123
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Pursuant to Rule 44 of this Court, Petitioner Velina M Johnson respectfully requests rehearing and reconsideration of the Court's October 7, 2024 order denying the Petition for a Writ of *Certiorari*, founded on evidence discovered deemed as intervening circumstances not previously presented but also contrary application of legal standard and appellate law in this case.

Rule 44. Rehearing states in relevant part:...2. Any petition for the rehearing of an order denying a petition for a writ of certiorari...grounds shall be limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented....

STATEMENT

This case involves principal landlord and tenant housing issues surrounding landlord and U.S. Department of Housing and Urban Development noncompliance (Pet. App. D, M) of federal and state of Alabama housing laws, violation of "Due Process" civil rights protection under the "*Fourteenth Amendment*" (U.S. Const. amend. XIV.), and eviction of a tenant during an open federal housing investigation exclusive of any effort by the U.S. Department of Housing and Urban Development to apply all federal housing to protect a tenant and request stay of any eviction during its ongoing housing investigation (Pet. App. M. Pg. 39a).

Petitioner clearly alleged unlawful acts by the respondents to evict her in the lower courts during the ongoing housing investigation facilitated by the

U.S. Department of Housing and Urban Development that violated her civil rights protection under the “*Fourteenth Amendment*” (U.S. Const. amend. XIV.), “Due Process”, and the *Fair Housing Act of 1968*, Section 818; protection against landlord retaliation.

ARGUMENT

I. THIS PETITION SHOWS THE ELEVENTH CIRCUIT DECISION SHOULD BE REVERSED BASED ON CONTRARY APPLICATION OF LAW AND EVIDENTIARY STANDARD BUT ALSO BECAUSE THIS CASE INVOLVES QUESTIONS AND ISSUES OF NATIONAL IMPORTANCE

Contrary to its connotation of a “shotgun pleading” and reversal of a district court’s ruling in the case Inform Inc v. Google LLC, (11th Cir. Aug 26, 2022) , the Eleventh Circuit Court of Appeals upheld the district court’s dismissal of petitioner’s case citing a “shotgun pleading” although the court determined the Inform Inc. amended complaint “although lengthy and perhaps unclear, the defendants were sufficiently put on notice of their violations”, 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 is 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 the Inform Inc. amended complaint in Inform Inc. v. Google LLC, (11th Cir. Aug 26, 2022) did not fail to give defendants notice of the claims against them and the grounds on which each

claim rests.

Petitioner's district court amended complaint and additional pleadings in other lower courts "put all defendants on notice of the claims against them and the grounds on which each claim rests".

There is precedent for an issue of bias on appeal even when not mentioned in an oral argument. The rule that an appellant court will not consider points not raised on trial does not apply to "[a] matter involving the public interest or the due administration of justice," (9 Witkin, Cal. Procedure (3d ed. 1985) Appeal, §315, p. 326), Catchpole v. Brannon, *supra* (36 Cal.App.4th at p.244).

More than instant rights are at stake in petitioner's case as discussed in Curle v. Superior Court (2001) 24 Cal.4th 1057. 1070).

Petitioner has satisfied the burden of proof and also has met the burden of production with evidentiary documents on the record to substantiate "a preponderance of the evidence" standard.

II. PETITIONER NEWLY DISCOVERED EVIDENCE FURTHER SOLIDIFIES EVIDENCE ON RECORD

It has been discovered that legal representation appointed on behalf of the petitioner knowingly or unknowingly in the Alabama county eviction case (Case No. 03 DV 2021-902633) recorded another defendant's name instead of correct name Velina M Johnson, and petitioner in this case, in response to the Unlawful Detainer filed by respondent Montgomery Multifamily Exchange, LLC.

Montgomery Multifamily Exchange, LLC filed a motion to dismiss (Pet. App. H. Pg. 26a) following an order to vacate the lift of petitioner's 'Automatic Stay' (Pet. App. J. Pg 28a) after petition exposed respondents' illegal use of business names (Pet. App. L. Pg.32a). Montgomery Multifamily Exchange, LLC, for a second time, was granted order to lift petitioner's automatic stay to pursue eviction during her open federal housing investigation under business name Montgomery Multifamily Leaseco, LLC. Montgomery Multifamily Exchange, LLC reinstated the eviction case using a business name contrary to the court docket.

Petitioner for a second time, sought State of Alabama legal representation following reinstatement of the eviction case. It has again been discovered that the second attorney appointed to represent the petitioner also used another defendant's name on the Motion to Dismiss document (Case No. 03 DV 2021-902633) other than petitioner's name. Petitioner was not questioned or allowed to speak during the March 3, 2022 hearing with the assumption and rationale was because she was represented by counsel. The presiding judge granted an Unlawful Detainer to Montgomery Multifamily Leaseco, LLC on March 3, 2022 (Pet.App.G.,Pg 25a) without question any discrepancy of defendant names in the case.

Petitioner's right to a fair hearing was violated nor was she properly represented by legal counsel and could have proceeded Pro Se before the court.

Respondent Montgomery Multifamily Exchange, LLC and Montgomery Multifamily Leaseco, LLC fraudulently interchanged business names on court documents (Pet. App. K.,Pg,30a) willfully and are in violation of 11 U.S.C. §

362(a)(3) and 11 U.S.C. § 362(k)(1) by “fraud on the court” and unlawfully evicted the petitioner prior to close of the U.S. Department of Housing and Urban Development investigation exclusive of intervention (Pet. App. D. Pg 20a).

Another discovery reveals Montgomery Multifamily Exchange, LLC, in Case No. 03 DV 2021-90633 on January 6, 2022, filed a motion that included modification of petitioner’s complete address with the court in order to “frustrate the mission”.

III. THIS CASE WARRANTS REVIEW AND EVIDENTIARY RECORD WILL ASSIST DETERMINING CONSTITUTIONALITY OF ACTIONS TO EVICT THE PETITIONER AFTER FILING A FEDERAL HOUSING COMPLAINT

Petitioner was denied constitutional rights and defense under the “*Fourteenth Amendment’s*” (U.S. Const. amend. XIV)., guarantee of “Due Process”, 11 USC 362(a)(3), 11 USC 362(k)(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); “plain error and manifest injustice” and diminished public confidence in the judiciary.

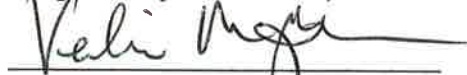
CONCLUSION

The Court should grant the Petition for Rehearing filed in good faith and not for delay, and grant certiorari full briefing to determine constitutionality surrounding the actions taken or not taken in this case; all of which are of national importance.

Date:

11/8/24

Respectfully submitted,



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Velina M Johnson, Petitioner,

v.

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

PARTIES TO THE PROCEEDING AND CORPORATE STATEMENT

Petitioner

Velina M Johnson, Not a corporate party

Respondents

Bonnie Burris

Inland Residential Real Estate Services, LLC

LaQuinta King

Montgomery Multifamily, LLC

Montgomery Multifamily Exchange, LLC

Montgomery Multifamily Leaseco, LLC

Ashley Stoddart

The Inland Real Estate Group of Companies, Inc.

U.S. Department of Housing and Urban Development

Are defendants in the District Court

And appellees in the Court of Appeals

CERTIFICATE OF COMPLIANCE

No. 24-5020

VELINA M JOHNSON,

PETITIONER,

v.

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

RESPONDENTS,

As required by Supreme Court Rule 33.1(h), I certify that the amended petition for rehearing contains 1,146 words, excluding the parts of the petition that are exempted by Supreme Court Rule 33.1(d).

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

Executed on November 8, 2024

A handwritten signature in black ink, appearing to read "Velina M Johnson", is written over a horizontal line.

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