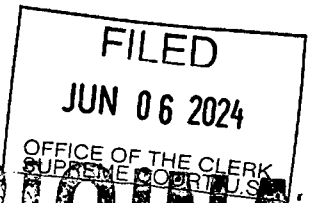


24-5478

No. _____



ORIGINAL

In the
SUPREME COURT OF THE UNITED STATES

Rifat Shafique

1500 Massachusetts Avenue NW, #513, Washington, DC 20005

(on behalf of herself, and all other similarly situated)

Petitioner

vs.

EQUITY RESIDENTIAL

T/A EQUITY RESIDENTIAL MANAGEMENT, LLC

Two North Riverside Plaza, Suite 400, Chicago, IL 60606-2624

Respondent

**Petition for Writ of Certiorari
to the District of Columbia Court of Appeals
in the matter of
Rifat Shafique v Equity Residential Management, LLC, 23 CV 0513**

PETITION FOR WRIT OF CERTIORARI

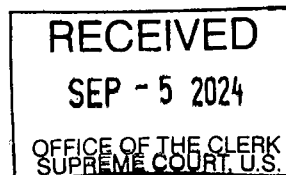
Rifat Shafique

1500 Massachusetts Avenue, Apartment 513

Washington, DC 20005

Shafique.rifat@gmail.com

Appellant Pro Se Sui Juris Feme Sole



RECEIVED
SUPREME COURT OF THE
US POLICE OFFICE

2024 SEP -3 PM 10:53

(i)

QUESTIONS PRESENTED

Supreme Court Rule 14.1(a)

- 1 Given forced removal from a residence imbues significant deprivation of access to the courts through denial of address, mail, and standing, and thereby obstructs the path to justice, does such kind of civil death render wrongful ejectment disputes as being treatable as a CAPITAL CASE as prescribed by the courts rules and the court's MEMORANDUM TO THOSE INTENDING TO PREPARE A PETITION FOR WRIT OF CERTIORARI IN BOOKLET FORMAT ... ” issued in January 2023?**
- 2 Does the forcing of a proceeding under a magistrate in the District of Columbia Courts without a party's consent constitute a violation of the First and Fourteenth Amendments of the Constitution for the United States, and the Takings Clause?**
- 3 In a dispute where the amount in controversy exceeds Twenty Dollars, does the forcing of a proceeding under magistrates, with no occasion for discovery, or counterclaim, and no access to a jury, violate the First, Third, Seventh, and Fourteenth Amendments?**
- 4 Does forcing a proceeding without establishing personal or subject matter jurisdiction violate the First, Third, Fifth, Seventh, Ninth, and Fourteenth Amendments?**
- 5 Does the taking and handing off of a person's personal property, and erasing of her rights, under false allegation of a debt, violate the Taking Clause?**
- 6 Does blocking, or ejecting a Petitioner from their home without a writ, a violation of the Fourth Amendment of the Constitution for the United States of America?**

(ii)

LIST OF PARTIES

Supreme Court Rule 14.1(b)(i)

Petitioner

Rifat Shafique

1500 Massachusetts Avenue NW #513, Washington, DC 20005

Shafique.Rifat@gmail.com

Presenting

Pro Se

Respondent

Equity Residential Real Estate Investment Trust

2 North Riverside Plaza, Illinois, Chicago 60606

Represented by

Mathew M. Moore

Shulman, Rogers, Gandal, Pordy & Ecker, PA

12505 Park Potomac Ave., 6th Floor, Potomac, MD 20854

mmoore@shulmanrogers.com

CORPORATE DISCLOSURE STATEMENT

Supreme Court Rule 14.1(b)(ii)

Rifat Shafique is a natural person, and a resident of the District of Columbia. No corporate disclosure statement is required from a natural person. Accordingly, no corporate disclosure statement from Rifat Shafique is applicable for this petition to be lodged and docketed.

(iii)

RELATED CASES

Supreme Court Rule 14.1(b)(iii)

Proceedings in this Court

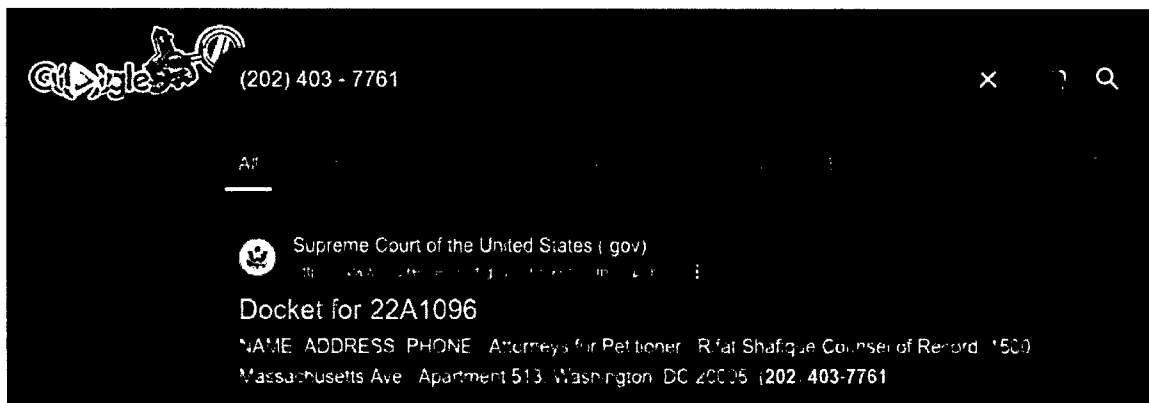
- Rifat Shafique v Equity Residential Management LLC, Direct Appeal Number 22A1096.
“DENIED by The Chief Justice”, June 26, 2023.
- Rifat Shafique v Equity Residential Management LLC, Petition Number 22-7798.
“DENIED” October 2, 2023.

PROTEST NOTICE

United States Constitution Amendment 1

This manner in which the direct appeal [Number 22A1096] is treated by this court silently influences all courts to deny Rifat Shafique all motions, all reliefs, and all remedies thereafter, no matter what court, what case, or how approached. It is even used by this court to block and stonewall the filing of any other document to the docket in this court, lest any filing hereafter replaces the prominence of this “DENIED by The Chief Justice” whenever a regular member of the public performs an Internet search for any of the following terms:

“Rifat Shafique”, “Shafique”, “1500 Massachusetts Avenue NW, 513”, “(202) 403 – 7761” or any combination thereof. Note the illustration below: the search result for (202) 403 – 7761 yields:



This is the first search result that shows up. It is defamation, and undue influence. The Chief Justice, John Roberts, a former partner of Hogan Lovells is conflicted and must recuse.

(iv)
ADDITIONAL RELATED CASES
Supreme Court Rule 14.1(b)(iii)

1

Related appeal in the District of Columbia Court of Appeals

Rifat Shafique v Equity Residential, Case Number 23 CV 0203. **Decided, May 4, 2023.**

2

Underlying “trial court” Case

Rifat Shafique v Equity Residential, Case Number 2023-CAB-001282, Superior Court of the District of Columbia (District of Columbia Superior Court). **Closed, March 8, 2023.**

3

Related “trial court” Case

Equity Residential Management, LLC, Case Number 22 LTB 0462, Superior Court of the District of Columbia. ***Decided without lawful jurisdiction on June 24, 2022. Reopened, June 29, 2022, Closed without lawful jurisdiction on January 18, 2022, Post-closed order “memorializing” filed on May 7, 2024 without lawful jurisdiction.***

4

Related appeals in the District of Columbia Court of Appeals

Appeals drawn from the related matter of Equity Residential Management, LLC, Case Number 22 LTB 0462, Superior Court of the District of Columbia

- Rifat Shafique v Equity Residential Management, LLC, Case Number 24 CV 0521.
Pending
- Rifat Shafique v Equity Residential Management, LLC, Case Number 24 CV 0128.
Dismissed, March 25, 2024.
- Rifat Shafique v Equity Residential Management, LLC, Case Number 23 CV 0204.
Dismissed as Moot, April 3, 2023.
- Rifat Shafique v Equity Residential Management, LLC, Case Number 22 CV 0637.
Dismissed, October 11, 2022.

(iv)

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POST-JUDGMENT INFORMATION

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Judiciary Policy, Vol. 2, Pt. A, Ch. 3 statement Section (v)

Also at Appendix 2

JURISDICTION Section (vi)

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(v)

AUTHORITIES

Supreme Court Rule 14.1(c)

OPINIONS BELOW

Judgment From Which Review is Sought

Supreme Court Rule 14.1(d) and (e)(1)

(Decision within the District of Columbia Court of Appeals from which arises this petition)

The Order from which this petition is drawn, Rifat Shafique v Equity Residential, D.C. Court of Appeals, Case Number 23 CV 0513 and is as follows:

03/08/2024 JUDGMENT GRANTING APPELLEE'S motion for summary affirmance...

See Appendix 1.

Post ~~Judgment~~ Execution Information

Supreme Court Rule 14.1(d) and (e)(ii)

Judiciary Policy, Vol. 2, Pt. A, Ch. 3 statement

A motion for reconsideration was filed in the District of Columbia Court of Appeals. The court clerks docketed the motion as a petition for rehearing on April 2, 2024, and then the court denied it, depriving Shafique of the opportunity to file a proper petition for rehearing and thereafter a petition for rehearing en banc. No order denying the petition for rehearing was issued. The docket simply states, ***“04/02/2024 Filed Order Denying appellant's petition for rehearing.”***

See Appendix 2.

(vi)

JURISDICTION

Supreme Court Rule 14.1(e)(iv)

This case arises pursuant to Article 1, Section 9 of the Constitution for the United States of America, and the Bill of Rights, Amendments 1 through 14, and specifically here, Amendments 1, 5, 8, 9, and 14. Relative to subordinate codifications of law, 42 U.S.C. § 1983. Jurisdiction is founded upon 28 U.S.C. § 1253, 1254, 1257, and 2101.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Supreme Court Rule 14.1 (f)

28 United States Code § 1448	Page 2
United States Constitution Amendments 1 through 14	Page 8
District of Columbia Official Code § 4202: Tenant Opportunity to Purchase Act of 1980	Page 8
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STATEMENT OF THE CASE
Supreme Court Rule 14.1(g)

1

Identity of the Adverse Party and Underlying Related Dispute

Equity Residential is a Maryland Real Estate Investment Trust headquartered in Chicago Illinois. Using a fictional name: **“Equity Residential Management, LLC T/A 1500 Mass Apartments”¹** and under the claim as ***“agent for the Owner”***, Equity Residential filed suit in the Superior Court of the District of Columbia, Civil Division, Landlord and Tenant Branch falsely accusing Rifat Shafique of failing to pay rent. [Equity Residential Management, LLC v Rifat Shafique, Case Number 22 LTB 000462 in the Superior Court of the District of Columbia]. In that related landlord and tenant action, the court suppressed Shafique’s first response to the suit, and allowed the case to proceed under a magistrate within the Landlord and Tenant Branch of said court, even though Shafique never consented to this. Shafique promptly executed a snap removal of the case to the United States District Court for the District of Columbia, [Rifat Shafique v Equity Residential Management, LLC D.D.C. 22-921 TJK], but even though Shafique served notice of that proceeding, a magistrate in the Landlord and Tenant Branch [Bouchet] failed to heed pending results of the removal proceeding, and instead entered a default judgment against Shafique. Such an act violated removal action proceedings.

1 “1500 Mass Avenue Apartments” is not to be confused with being “1500 Massachusetts Avenue Apartments. These are two completely different companies/organizations.

Note 28 U.S. Code § 1448.² In any event, the removed action was remanded to the state court, with the federal court refusing to exercise remedial oversight action to ensure the state court provided a civil process to Shafique that could encompass her right to defend (including discovery and trial by jury). Upon remand, the President of the Civil Division of the Superior Court of the District of Columbia, [Associate Judge Epstein] ordered the matter to be submitted to a “civil judge”. See Order of July 26, 2022. The Landlord and Tenant Branch violated the order by transferring the case through a succession of magistrates, all without Shafique’s consent.³

2 Of Note: The Historical and Revision Notes pertaining to 28 U.S.C § 1448 states:

Based on title 28, U.S.C., 1940 ed., §83 (Apr. 16, 1920, ch. 146, 41 Stat. 554).

Words "district court of the United States" were substituted for "United States Court," because only the district courts now possess jurisdiction over removed civil and criminal cases.

Changes were made in phraseology."

All actions taken in the landlord and tenant proceedings up until at least January 31, 2023 were done while the case was in a state of removal on appeal before the District of Columbia Circuit, [Rifat Shafique v Equity Residential, D.C. Circ. Appeal Number 22 - 7116

3 Of Note, in December of 2022, the Landlord and Tenant Branch of the Superior Court of the District of Columbia acknowledged that Shafique did not consent to magistrate judge. The docket reflects that the court withdrew Equity Residential's attempt to institute a writ of restitution which would have

By containing the case under magistrates, Shafique was deprived of opportunity to challenge Equity Residential's claim of being Shafique's housing provider (landlord). After a series of appeals [Shafique v Equity Residential Management, LLC, D.C. Ct. App. Appeal Numbers 22 CV 637 and 23 CV 204, and relatedly Shafique v Equity Residential, D.C. Ct. App. Appeal Numbers 23 CV 203, 23 CV 513 and 24 CV 128]. Equity Residential was compelled to provide a corporate disclosure statement under Rule 26.1 of the District of Columbia Court of Appeals. It was then that Equity Residential finally revealed information that Equity Residential – by whatever name called – was in fact not an ***“agent for the owner”*** 1500 Massachusetts Avenue Apartments with whom Rifat Shafique signed her lease to secure residence at 1500

been untimely in any event even were the magistrate's (Bouchet) default judgment order was valid. Still, the court failed to transfer the case to a civil judge as ordered on July 26, 2022) and continued what appears to be a judge-shopping campaign by transferring the case without notice to yet another magistrate, Vila. By January 17, 2023, the case had been transferred through four magistrates, all without notice or consent. At no time before March 8, 2023 was the case ever handed over to an associate judge of the Superior Court of the District of Columbia.

Massachusetts Avenue, NW, Washington, DC.⁴ In its corporate disclosure statement, Equity Residential admitted to being an agent unto itself.

On March 25, 2024 the state appellate court dismissed a related appeal, Rifat Shafique v Equity Residential, appeal case number 24 CV 128 instead of declaring it to be remanded. On that very same day the trial court scheduled the related landlord and tenant action for what it

4 PROTEST and NOTICE

This court and other courts purport to be mindful of privacy matters, even requiring parties to remove personally identifiable material from court documents filed with the several courts. ("Redaction") rules, various. However when it comes to this petition, and even though it is a matter of Real Property – Private Residence, Rifat Shafique was force to reveal her home address to the world by placing it on the caption cover of this and any other petition filed with this court. Moreover, were Shafique to rely on any other address or even post office box to place in the caption hereto, the determination of this court would be to interpret such an action as a relinquishment of her home address, thereby erasing standing for Rifat Shafique to mount any appeal, counter-suit, or other petition or application to undo this wrongful eviction she suffers resulting in this very petition being submitted to this court. Shafique did not fall for this ruse. But even had Shafique made a dutiful attempt to redirect correspondence with this court to a different address, and risk such a misinterpretation by this or any other court, she was blocked from going in that direction in two ways:

- 1 The United States Postal Service refused to allow Shafique to rent a post office box when she presented her lease to the local post office in

claims to be a “post-judgment” hearing regarding Shafique’s motion for injunctive relief in the landlord and tenant case, yet, at the same time, the appellate court still continues to insist that this wrongful eviction dispute is a moot matter. However, from the beginning the trial court wrongfully conjoined the wrongful eviction case to the related landlord and tenant case and dismissed the wrongful eviction matter at the the hearing for temporary restraining order without ever transferring the landlord and tenant matter to an associate judge. The result is a flurry of federal questions as presented here. Had Shafique been availed proper venue and with that discovery by way of corporate disclosure in the related landlord and tenant case at the very onset, or as a result of federal judicial oversight from the related removal action, or as a result of the case being timely transferred to a civil judge in accordance with the judicial administrative order of July 26, 2022 instead of being unlawfully transferred to a magistrate to which Shafique never consented, it would have been confirmed then that neither “Equity Residential Management, LLC” nor Equity Residential – by whatever name called – was ever the “agent for the owner, 1500 Massachusetts Avenue Apartments, (owner of the building complex located at the same an attempt to do so. That was well before March 8, 2024, the day Shafique’s access to her apartment was blocked.

2 Every bit of mail sent to Shafique by this court has neither been returned, nor has Shafique been able to obtain such mail. However despite bringing this matter to both local law enforcement and the courts, there has never been any investigation as to who is intercepting Shafique’s mail. This court can attest to the fact that Shafique has had to visit the clerk’s office several times to obtain copies of letters alleged to be sent to her from the clerk’s office regarding the perfection of documents filed with this court such as this.

address) and as such, *inter alia*, on that ground, lack standing to sue Rifat Shafique for failure to pay rent.

2

**Background Proceedings Information regarding
Shafique's Complaint of Wrongful Ejectment**

On March 3, 2023, Shafique filed her separate and distinct action for wrongful eviction (Supt. Cr. D.C. Case No. 23 CAB 1282), but the District of Columbia Superior Court dismissed that action on March 8, 2023. Shafique appealed resulting in *Rifat Shafique v Equity Residential*, DCCA 23 CV 0203, however April 3, 2023, the District of Columbia Court of Appeals (DCCA) dismissed the appeal below, but in a peculiar way to allow the trial court to treat post-judgment motions pertaining to the related landlord and tenant proceeding, case number 22 LTB 0462 in the Landlord and Tenant Branch of the Superior Court of the District of Columbia.

On May 17, 2023, the Superior Court of the District of Columbia denied Shafique's post-judgment motions in the related matter, and Shafique again executed a timely appeal thereof, resulting in the matter of *Rifat Shafique v Equity Residential*, DCCA 23 CV 0513. This petition is drawn from the DCCA's decision filed on March 8, 2024, which is one year after executing an eviction of Rifat Shafique with no writ, with no live action, and with no judgment from which to generate a writ.

Despite knowing now that Equity Residential is not the agent for 1500 Massachusetts Avenue Apartments, had no live action from which to generate a writ, had no writ, and benefits

from ejecting Shafique from her home on March 8, 2023, the DCCA entered a judgment for summary affirmance in favor of Equity Residential and adverse to Shafique.

REASONS FOR GRANTING THE WRIT

Supreme Court Rule 14.1(h)

(Procedural Violations Within the Superior Court of the District of Columbia

On which this Matter Turns)

Supreme Court Rule 14.1(h)(ii)

1

Order Violated by the Court

Notably, back in October of 2023, Shafique discovered that in addressing this matter, the DCCA failed to include in its deliberations, the judicial administration order in the related case of Equity Residential Management, LLC Supt. Ct. D.C. case number 22 LTB 0462. that was issued on **July 26, 2022** requiring the court to have the matter addressed by a civil judge. The court violated that order.

On April 29, 2024, the court clerks in the Landlord and Tenant Branch of the Civil Division of the Superior Court of the District of Columbia admitted that they had no live writ to justify the ejectment of March 8, 2023, as the case was not submitted to an associate judge on or before then.

The failure of the Landlord and Tenant Branch to obey the order of July 26, 2022 voids and nullifies all proceedings in the related case, and with it, voids and nullifies any justification

for the execution of any eviction of Shafique from her home. The upholding of this siege against Shafique entering her home constitutes a profound violation of Shafique's natural rights as expressed in the United States Constitution, particularly at Amendment 4, 5, 9, and 14. No writ based on a valid judgment in a live action was ever generated to justify the harmful actions perpetrated against Rifat Shafique on March 8, 2024, and thereafter. It is beyond insulting for any person to suggest and demand that Shafique must just "move on" after being unwarrantingly disgraced in this way by a squatting corporation, Equity Residential, falsely claiming to be an agent for Shafique's landlord⁵, and under that ruse, fabricating a fake lawsuit of failure to pay

5 Equity Residential never had clear title to the building complex where Shafique's apartment is located. In fact, Shafique was a lease-holding tenant in the building complex long before Equity Residential was involved with the building complex in any way. Any transfer of ownership from 1500 Massachusetts Avenue Apartments to 1500 Mass Apartments LLC (T/A EQR 1500 Mass Apartments LLC, T/A Equity Residential Management, LLC, which is Equity Residential, a Maryland Real Estate Investment Trust) would and should have triggered notification to Shafique pursuant to the District of Columbia Official Code § 4202.01 which clearly states

(a) Before an owner of a housing accommodation may sell the housing accommodation or issue a notice to vacate for purposes of demolition or discontinuance of housing use, the owner shall give the tenant an opportunity to purchase the housing accommodation at a price and terms that represent a bona fide offer of sale.

The code continues by outlining multiple steps that must be taken in order to deprive tenants such as Shafique the opportunity to take ownership of her own

rent, in order to carry out a home invasion under the illegal protectionist schemes of any municipally-chartered government, particularly the Government of the District of Columbia which engages in unlawful tactics to indemnify persons classified as "housing providers" falsely or not, from criminal prosecution, civil litigation discovery, and civil remedy. It is bluntly wrong to deprive Shafique of her home, her belongings, her papers, and the effects thereof using government force authority power with no writ, no valid judgment, no live action, no probable cause, no criminal prosecution, no judge, and no access to a court of law to sift the false charge failure to pay rent, failure to appear, failure to defend. It is likewise cruel and unusual to compel a party to one-way file and thrash schemes in unestablished courts where Shafique is the ONLY PARTY COMPELLED TO APPEAR, and compelled to file pleading after pleading, and motion after motion OR ELSE face "DISMISSED" whereupon filing anything she is faced with "DENIED". That is wrong; it is an unusual process of abuse of the writ, while at the same time imposing cruel treatment of any party subject to such a scheme in violation of both Article 4 Section 4 of the United States Constitution, and Amendment 8 as well. Such has been the

dwelling residence, and, or, the building complex in its entirety. There was no follow-through of that process. Equity Residential's admission that it is "agent" only unto itself as "owner", and not an agent for 1500 Massachusetts Avenue Apartments with whom Shafique engaged her lease renders Equity Residential's claim as "housing provider" or "landlord" or "owner" of Shafique's apartment a false claim. At best, Equity Residential squats the building complex, but in the District of Columbia, squatters have no rights. Equity Residential is a squatter that has no right to engage in deceptive practices to deprive Shafique of ownership of her home, and now her home, belongings, and rights.

treatment Shafique has continually endured in the courts below, where she has filed over 100 pleadings; ~~many~~ under threat that if she does not file, she will be subject to “DEFAULT” AND “DISMISSAL” and upon filing she is then subject to “DENIED” while at the same time, the squatter, Equity Residential only has filed so little documents, in this particular case, one or two only, with the court below, so many times rendering relief to Equity Residential even though there is no writ. Let it sink in, **there is no warrant, and there is no writ.**

2

***Violations of Law by the United States Marshals Service:
28 USC § 566 and the Fourth Amendment of the Constitution for the United States***

On May 31, 2024, Shafique filed a tort claim against the United States Marshals Service for, among other things, the United States Marshals Service failing to properly administer to this matter in accordance with 28 USC § 566, as only the United States Marshals Service is authorized to execute evictions in the District of Columbia.⁶ Succinctly, there is no evidence Equity Residential had any live judgment from a civil judge. Also there is no evidence the United States Marshals Service had any writ to eject or evict Shafique from her residence. The order violated by the court and the United States Marshals Service is the order of July 26, 2022

6 Of Note: 28 U.S.C 566(a) states:

§566. Powers and duties

(a) It is the primary role and mission of the United States Marshals Service to provide for the security and to obey, execute, and enforce all orders of the United States District Courts, the United States Courts of Appeals, the Court of International Trade, and the United States Tax Court, as provided by law.

in the related case of Equity Residential Management, LLC, Supt, Court. D.C. Case Number 22 LTB 0462 issued by the Presiding Judge of the Civil Division of the Superior Court of the District of Columbia.

3

Factual and Irrefutable Conclusions Warranting Certiorari

Federal Rules of Evidence Rule 201

The lower court violated the order of July 26, 2022 by failing to submit the related action (22 LTB 0462) to any judge prior to March 8, 2023, thereby violating Shafique's rights resulting in among other things constitutional torts to the harm of Shafique. Specifically here, courts within the District of Columbia abuse their discretion and violate Shafique's 4th Amendment and other stipulated rights. There is no valid writ entitling the District of Columbia Courts, the United States Marshals Service, and, or, Equity Residential, and, or, for that matter, any arm or agency of the District of Columbia or any other government, or entity, to remove, and, or, block Shafique from her home, and, or, to take any of her property, and, or, to invalidate any of her rights, yet none of them, not the courts, not the United States Marshals, not any other arm of government, and certainly not Equity Residential will admit to this in such a way to cause persons such as the local police to cease and desist from prohibiting Shafique from entering her home. It is a brazen flouting of the 4th Amendment of the United States Constitution.

CONCLUSION

For the foregoing reasons, Petitioner Rifat Shafique requests this Court regard this petition for a writ of certiorari.

VERIFICATION

I, Rifat Shafique, affirm on this 3rd day of September 2024 and under the laws of the United States, that the foregoing statements are true.

Respectfully submitted by

Rifat Shafique
Rifat Shafique

Rifat Shafique, Petitioner