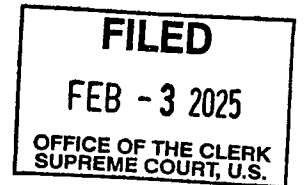


24-6600 ORIGINAL
No. _____

IN THE
SUPREME COURT OF THE UNITED STATES



Michael Boutin — PETITIONER
(Your Name)

VS.

Chicopee Housing Authority — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

SJC of Massachusetts
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Michael Boutin
(Your Name)

36 Honey suckle Dr
(Address)

Chicopee MA 01022
(City, State, Zip Code)

413 883 8996
(Phone Number)

Michael Boutin
36 Honeysuckle Dr
Chicopee MA 01022

Supreme Court of The United States

Michael Boutin,

Plaintiff

V.

Chicopee Housing Authority,

Defendant

Case No. :

Writ of Certiorari

Questions Presented

1. Did the Massachusetts courts fail to address violations of constitutional due process under the Fourteenth Amendment, including judicial bias and procedural irregularities, in a housing dispute involving eviction and tenant rights?
2. Did the Chicopee Housing Authority violate federal and state laws by failing to provide safe and habitable housing conditions and engaging in discriminatory practices against a tenant with disabilities?
3. Does the lack of effective judicial remedies in Massachusetts housing courts undermine the procedural guarantees afforded by the Constitution?
4. Does judicial tolerance of sleep deprivation and unsafe living conditions as evidenced by the Chicopee Housing Authority's negligence—including the judge's and CHA staff's mockery of the petitioner's need for more than an hour of sleep—amount to a violation of fundamental human rights under principles recognized by international law?
5. Did the conflict of interest between the Supreme Judicial Court (SJC) of Massachusetts and Judge Kane—who declared himself "pure of heart and soul" and dismissed all allegations of wrongdoing against him—violate due process, particularly when Judge Kane finalized the eviction without proper notice, while the case was still under review by the SJC, which knowingly ignored this procedural misconduct, refused to provide notices, defied a direct order from Judge Kane to furnish legal documents and records necessary to file an appeal, and ignored repeated requests for audio recordings for over a year, and knowingly ignored that Judge Kane ordered the eviction be finalized and took place 2 business days after the hearing that was held without notice and without notice being sent or served of said decision

36 to where an eviction was carried out on June 4th 2024 while the Appeals Court had not
37 handed down their rescript and it was not finalized in the SJC until September 5th, 2024
38 where he knowingly subverted due process?

- 39 6. Did Judge Kane knowingly admit invalid evidence, including measurements conducted with
40 non-calibrated tools belonging to the petitioner, despite repeated testimony by both the
41 petitioner and Angel Quinones that such tools were not fit for official measurement and did not
42 meet required standards, and further use these statements to declare that no repairs would
43 ever be needed or performed on the petitioner's apartment, even if future evidence was
44 presented and show gross negligence to choose enforce his own beliefs such as hot water
45 not being dangerous over enforcing the building code that is there to ensure the safety of
46 tenants? And does the Supreme court intend to allow the continued harm coming to every
47 other tenant of that building such as the disabled children who live there who must still
48 contend with the Issues presented by Mr. Boutin that Judge Kane ruled never needed to be
49 fixed as well as allowing landlords to lie about repairs being done?
- 50 7. Are the courts allowed to hold hearings and make rulings with no notice to a single party to
51 prevent them from attending hearings or objecting or providing factual evidence and allowing
52 any party they choose to essentially win their cases by default by biasedly excluding whoever
53 they choose?
- 54 8. Are Judges allowed to make medical decisions and rule that people must legally be forcibly
55 exposed to things that they are allergic to, simply because of the ignorance of the Judge like
56 in this case Judge Kane wrongfully claiming that mildew is not a mold and therefore not a
57 health risk to a person he did not like? And are Judges allowed to make rulings based on
58 personal beliefs such as something in the building code not being required to be followed
59 because he personally believe it to be safe like having near boiling water touching your skin to
60 be safe in any capacity, and not because he had an expert testify as such, despite expert
61 testimony and an expert being present that tried to speak against such ignorance but was not
62 allowed to speak on it because Judge Kane did not like said qualified witness?
- 63 9. Does the court hold the right to destroy all evidence being used in the case in order to prevent
64 it from being shown or used by a single party and only the evidence of one party was
65 destroyed in its totality but not the other like on 5/2/2022? And does the court have the right to
66 tell someone they cannot read from notes, forcing them to do everything from memory despite
67 multiple warnings about migraines causing memory issues, but only hold that rule for one
68 party but not the other because they found it boring to listen to that one person speak from
69 their notes showing extreme bias and favoritism in creating rules for only one party and had
70 never done so previously or since and was clearly a refusal to accommodate an illness or
71 disability as well as a targeted abuse of power to subvert only that single party without
72 justification?
- 73 10. Does the court hold the power to split cases with the sole intention of preventing evidence,
74 facts or events involved in the other case to be used to prevent people from claiming

discrimination or retaliation because a counterclaim had been opened for that purpose so then no single claim of abuse or retaliation could even be mentioned in an eviction proceeding thus removing all defenses at the sole discretion and behest of a judge to prevent certain cases from even proceeding? And does the court allow for witnesses and evidence to not be cross examined for the same reasons, subverting due process?

11. Does the court tolerate bullying, harassing and mocking of people based on disability, bias or other factors perpetrated by Judges including them encouraging the mocking of persons or evidence which would be beyond gross misconduct, or interference of court officers who would scream and threaten people, especially so one-sidedly to interrupt or intimidate them and the same "rules" not be upheld for the other party?

Parties to the Proceedings

Petitioner: Michael S. Boutin, a tenant in subsidized housing who has represented himself pro se in Massachusetts Housing Court and subsequent appeals.

Respondent: Chicopee Housing Authority, the property management agency responsible for the petitioner's residence.

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99 **Opinions Below**

100 The decisions of the Massachusetts Housing Court were not officially published. The decision of the
101 Appeals Court of Massachusetts, and the Supreme Judicial Court of Massachusetts denying review
102 is attached in Appendix A.

103 **Jurisdiction**

104 This Court has jurisdiction under 28 U.S.C. § 1257(a) to review the final judgment of a state court
105 denying relief where federal constitutional questions are presented.

106 **Constitutional and Statutory Provisions Involved**

107 **Constitutional Provisions**

- 108
 - U.S. Constitution, Amendment XIV (Due Process and Equal Protection Clauses)

109 **Federal Statutes**

- 110
 - Fair Housing Act (42 U.S.C. §§ 3601-3619)

111 **State Laws**

- 112
 - Massachusetts General Laws Chapter 239 (Eviction Laws)
 - Massachusetts Sanitary Code (105 CMR 410.000, 200B/202, 150(A)(1)/300, 450-452 and
113 more listed on the Document, "housing violations list")
114

115 **International Standards**

- 116
 - Geneva Conventions (Prohibitions on Torture and Inhumane Treatment)
-

117 **Statement of the Case**

118 **Background**

119 Michael S. Boutin has been a tenant in a subsidized housing unit managed by the Chicopee Housing
120 Authority (CHA) since 2013. Over the years, Mr. Boutin reported numerous unresolved habitability
121 issues, including sewage backups, faulty plumbing, gas leaks, and defective heating systems.
122 Despite repeated complaints, CHA failed to adequately address these issues, often dismissing or
123 delaying repairs, violating Massachusetts Sanitary Code and federal housing standards.

124 Mr. Boutin's complaints also extend to noise disturbances caused by a neighbor, Jose Santana,
125 whose disruptive behavior, including screaming daily for years, created intolerable living conditions.
126 CHA's failure to address these issues resulted in severe sleep deprivation and worsening migraines
127 for Mr. Boutin. Sleep deprivation has been recognized internationally as a form of torture and has
128 severe health consequences, including cognitive impairment and exacerbation of medical conditions.

129 The Mistreatment of Mr. Boutin lines up well with the other cases recently finished in the state of
130 Massachusetts by the Attorney General in which Monica Blazic was racist, sexist and showed
131 extreme bias and discrimination and not only had to be forcibly demoted but now also fired for her
132 inexcusable behavior.

133 The Attorney for the CHA, Elaine, also harassed and threatened one of Mr. Boutin's doctors, Amy,
134 and her superiors until they forcibly dropped Mr. Boutin as a client for daring to write a letter simply
135 stating that he had been a client with them after some false claims and allegations from both the CHA
136 and Judge Kane to prove he was in fact seeking treatment for health issues. And this was despite
137 their explicit instruction to not contact them as they did not have permission and that was told to them
138 in writing multiple times, and the final call Mr. Boutin could have with Amy who discussed their
139 harassment of her and her bosses to him was presented to the court.

140 **Procedural History**

141 1. In February 2021, CHA initiated eviction proceedings, alleging harassment and lease
142 violations against Mr. Boutin. The Housing Court's focus on Mr. Boutin's alleged behavior
143 overshadowed legitimate concerns about CHA's failure to maintain habitable conditions while
144 also not enforcing those same rules and lease violations from multiple other tenants which
145 they say they allow in their own testimonials showing that Mr. Boutin was the only one facing
146 enforcement of lease violations based on hearsay as well as what was made up and given as

147 false deposition with no actual evidence of wrongdoing by Mr. Boutin. All wrongdoing by other
148 tenants despite repairs that cost the CHA tens of thousands of dollars for even single
149 incidents or harassment that had been verified by the CHA through their own police reports
150 and discussions with the police also claimed ignorance to all of it, despite their own testimony.
151 This is despite the Fire department making over 100 visits for just 2 tenants as well as over
152 300 for a single other tenant, namely for Jose Santana and Ramone Ortiz. Neither other
153 tenant was so much as fined or punished for causing tens of thousands in damages to the
154 building or causing people from multiple surrounding buildings to also call the police for the
155 disturbances being caused by Jose Santana who also threatened to shoot Mr. Boutin on
156 camera and nothing was ever done about it. There were also multiple documented cases and
157 police records of theft, assault, attempted murder, threat with a deadly weapon, stalking,
158 harassment and more that were entirely ignored despite literally hundreds of examples
159 presented with video proof of dozens.

160 2. Mr. Boutin counterclaimed, asserting retaliatory eviction and violations of federal and state
161 housing laws. However, the court bifurcated the claims, prioritizing eviction while delaying
162 consideration of counterclaims.

163 3. Evidence presented included police reports, tenant correspondence, and CHA's inconsistent
164 testimony. Key procedural errors included:

- 165 • Judge Kane's decision to disallow the use of notes by Mr. Boutin during his defense,
166 impairing his ability to organize and present evidence effectively (Transcript, August
167 16, 2021).
- 168 • The court officer interrupting Mr. Boutin multiple times, creating an intimidating
169 atmosphere that hindered effective advocacy (Transcript, July 28, 2021).
- 170 • CHA representatives laughing during proceedings, dismissing Mr. Boutin's need for
171 sleep as irrelevant and undermining the gravity of his claims (Transcript, October 7,
172 2021).
- 173 • Angela, a CHA employee, claimed Mr. Boutin did not require sleep and suggested he
174 wake up at 1:00 AM to monitor the CHA plow to avoid having his car towed, dismissing
175 his request for a reasonable accommodation (Transcript, October 7, 2021).
- 176 • Judge Kane's factually incorrect assertions, including that mildew is not a type of mold
177 and is safe to breathe despite Mr. Boutin's documented allergy and adverse reactions
178 (Transcript, August 12, 2021).
- 179 • Judge Kane's dismissal of dangerous water temperatures in Mr. Boutin's apartment as
180 inconsequential, despite documentation that the water reached 168°F, well above the
181 legal limits for residential properties (Transcript, August 16, 2021).
- 182 • Angel Quinones, the code inspector, admitted under deposition that his measurements
183 to confirm repairs were conducted using a non-calibrated tool belonging to Mr. Boutin,
184 which was repeatedly pointed out to Judge Kane as invalid and inadmissible for official
185 measurement purposes (Transcript, August 12, 2021).

- CHA's discriminatory enforcement of housing rules, allowing other tenants to drill holes in walls, hang pictures, and use duct tape or weather stripping while threatening to evict Mr. Boutin for using painter's tape and command strips (Transcript, August 12, 2021).
 - CHA's harassment of Mr. Boutin's therapist after Mr. Boutin submitted a letter from her to the court, explicitly stating that CHA did not have permission to contact her. Despite this, CHA repeatedly contacted her until her employer removed her from Mr. Boutin's care (Transcript, October 7, 2021).
 - David DeBartolo, from Community Legal Aid, collaborated with CHA to mislead Mr. Boutin by falsely claiming that CHA had granted an extension for filing deadlines. The email provided as "proof" contained insults rather than any legitimate evidence of an extension, which was an apparent attempt to coerce Mr. Boutin into defaulting on his eviction (Transcript, August 16, 2021).
 - Judge Kane finalized Mr. Boutin's eviction without proper notice and failed to inform him, even while the case was under consideration by the SJC. Despite the SJC's knowledge of this procedural misconduct, it chose to ignore these blatant violations of due process.
 - Mr. Boutin was denied the ability to cross-examine key witnesses such as Ramon Ortiz and Angel Quinones, undermining his defense (Transcript, August 16, 2021).
 - Judge Kane's claim that his rulings and assertions were unchallengeable, stating that his words dictated reality regardless of factual inaccuracies (Transcript, August 12, 2021).
4. The Appeals Court of Massachusetts upheld the Housing Court's decision without addressing due process or the procedural irregularities raised.
 5. The Supreme Judicial Court denied further review.

Reasons for Granting the Petition

Emergency Hearing and Judge Kane's Statements Regarding Future Repairs

Judge Kane explicitly stated during an emergency hearing that no future repairs would ever be needed or performed on the petitioner's apartment, even if new evidence was presented. This statement is reflective of bias and a disregard for the petitioner's rights to a habitable residence. (Note: Add date and transcript reference here once verified).

217 **I. Failure to Enforce Tenant Protections Violates Due Process**

218 Massachusetts Housing Court proceedings failed to safeguard due process by prioritizing CHA's
219 eviction claims while ignoring documented violations of housing standards. Judicial bias and
220 procedural errors deprived Mr. Boutin of a fair hearing, including:

- 221 • Acceptance of CHA's unverified claims without proper evidentiary scrutiny (Transcript, August
222 16, 2021).
- 223 • Judge Kane's explicit statement that it was acceptable for CHA representatives to present
224 false claims, undermining the integrity of the judicial process (Transcript, August 12, 2021).
- 225 • Disregard for Mr. Boutin's disability-related accommodations under the Fair Housing Act.

226 **II. Violations of Federal and State Housing Laws**

227 CHA's negligence in addressing hazardous living conditions breached:

- 228 1. Fair Housing Act provisions ensuring non-discriminatory practices.
- 229 2. Massachusetts Sanitary Code standards for habitability.

230 CHA's retaliatory actions, including initiating eviction following tenant complaints, contravene
231 protections against retaliation under both federal and state law.

232 **III. Sleep Deprivation as a Violation of Human Rights**

233 CHA's dismissal of Mr. Boutin's documented sleep deprivation as irrelevant constitutes a violation of
234 human dignity and health. Sleep deprivation is recognized by international standards, including the
235 Geneva Conventions, as a form of inhumane treatment. Prolonged sleep deprivation causes severe
236 physical and mental health issues, undermining Mr. Boutin's ability to function and effectively defend
237 himself in legal proceedings. This also caused Mr. Boutin to be unable to continue normal life in any
238 way and could no longer volunteer at the soup kitchen, donate blood, cook or clean for himself which
239 was used as evidence against him, teach or participate and win multiple martial arts tournaments
240 every year, all of that had to be stopped because Mr. Boutin couldn't function at all for years due to
241 lack of sleep and crippling migraines and PTSD from the treatment from the neighbors and courts
242 who insisted he had no human rights or needs such as sleeping.

243 **IV. Judicial Misstatements and Bias**

244 Judge Kane's repeated factual inaccuracies and dismissive behavior highlight judicial bias and
245 undermine confidence in the fairness of the legal process. Key examples include:

- 246 • Mischaracterizing mildew as harmless despite medical evidence to the contrary.
- 247 • Dismissing the dangers of scalding water temperatures, contrary to health and safety
248 standards.
- 249 • Accepting unverified measurements taken with non-calibrated tools as valid evidence.
- 250 • Denying Mr. Boutin the ability to cross-examine witnesses critical to the CHA's case.
- 251 • Allowing discriminatory enforcement of housing rules against Mr. Boutin while tolerating
252 violations by other tenants.
- 253 • Harassing Mr. Boutin's therapist, ultimately depriving him of necessary medical support.
- 254 • Collaborating with legal representatives, such as David DeBartolo, to mislead Mr. Boutin and
255 coerce him into procedural defaults.
- 256 • Finalizing Mr. Boutin's eviction without proper notice, even while the SJC was considering the
257 case.
- 258 • Stating that his rulings and statements were beyond correction, reflecting an abuse of judicial
259 authority.

260 **V. Lack of Judicial Oversight Undermines Public Trust**

261 The Massachusetts Housing Court's practices reflect systemic issues affecting pro se litigants and
262 low-income tenants. By denying review, state courts effectively insulate CHA from accountability,
263 fostering public distrust in judicial fairness.

264 **VI. National Significance**

265 This case raises fundamental questions about the rights of tenants in subsidized housing and the
266 constitutional guarantee of due process. A decision from this Court would provide clarity on judicial
267 obligations in housing disputes and reinforce the procedural safeguards required under the
268 Fourteenth Amendment. If not remedied, will be widely publicized and allow for similar abuse to take
269 place across the country using this new case law that was ruled upon by every relevant court in the
270 US.

271 **Conclusion**

272 For the foregoing reasons, the petition for a writ of certiorari should be granted.

273 **Appendices**

- 274 • Appendix A: Decision of the Supreme Judicial Court of Massachusetts
275 • Appendix B: Decision of the Appeals Court
276 • Appendix C: Evidence Submitted in Lower Courts, Lowest court decision was destroyed by
277 the CHA and could not be obtained from the Lower Court due to refusal to communicate or
278 abide by state, federal or local laws
279 • Appendix D: Affidavits and Supporting Documentation

280 **Respectfully submitted,**

281 Michael S. Boutin (Pro Se) on 1/31/2025
282 36 Honeysuckle Dr
283 Chicopee MA 01022