

No.

24-6846

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED

MAR 21 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Gayle George — PETITIONER
(Your Name)

vs.

US Bank National Assn RESPONDENT(S)
legal title trustee for Truman 2016 SC6 title trust
ON PETITION FOR A WRIT OF CERTIORARI TO

DC Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Gayle George
(Your Name)

412 Quackenbos Street NW
(Address)

Washington DC 20011
(City, State, Zip Code)

202 882 2210
(Phone Number)

QUESTIONS PRESENTED

1. Do the District of Columbia courts, under the Congressional authority of Article 1, Section 8 of the US Constitution, have jurisdiction to adjudicate claims involving the judicial taking of private, non-commercial, non-industrial, non-agricultural, and non-income producing property used for shelter and not statutorily defined as being “in the District of Columbia”¹ without due process of law as just compensation provided in advance?
2. Are the District of Columbia courts equipped to interpret federal banking regulations issued from the National Banking Act of 1864, the Bank Holding Companies Act of 1956, and title 12 of the US Code of Federal Regulations on Banks and Banking to determine the proper standing of a national banking association to initiate litigation as party to a case concerning private property unsuitable for its business use in the DC Superior Court?
3. Should District of Columbia courts allow attorneys to appear and litigate on behalf of national banking associations or any corporation without proof of the authorities they were delegated by board-level decision or active status in the bar association, as required by the rules of professional conduct, DC Appellate Court Rule 49, and 7 Corpus Juris Secundum § 62?²

¹ DC Code § 47–2201 Definitions. (d) “**In the District**” and “**within the District**” mean within the exterior limits of the District of Columbia and include all territory within such limits **owned by the United States of America**.

² 7 C.J.S. Attorney and Client § 62 (1937): An attorney may not even appear in a cause of action without some form of authority from the party on whose behalf he appears. *Lofberg v. Aetna Cas. & Sur. Co.*, 264 Cal. App. 2d 306, 308, 70 Cal. Rptr. 269, 270 (1968)

4. Should "void orders" issued by clerks or unnamed judges, whose clear bias mandates automatic disqualification by law, to attorneys unauthorized to appear in courts operating outside their jurisdiction be enforced by federal law enforcement officers deployed to transfer private, non-commercial property to agents not party to any case, thereby causing irreparable harm to private people peaceably acting in their private capacity?

5. Is the District of Columbia authorized to deploy US Marshals to seize private property by order of its courts which violates public policy on homelessness prevention?³ Is this power granted at the discretion of its administrative law judges or is such enforcement limited to "lawful orders" issued through due process of its courts?

³ (42 USC §11301, 42 USC §11311, 42 USC § 3531)

LIST OF PARTIES

☒ All parties appear in the caption of the case on the cover page.

☐ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

US Court of Appeals of the District of Columbia Circuit
25-5050

US District Court of the District of Columbia
24-cv-01598

DC Court of Appeals

| | |
|------------|------------|
| 24-cv-1188 | 24-cv-583 |
| 24-cv-633 | 24-cv-561 |
| 23-cv-907 | 23-cv-1030 |
| 23-cv-625 | |

DC Superior Court

| | |
|-------------|-------------|
| 24-cab-0965 | 24-cab-4154 |
| 24-cab-4234 | 15-ca-9263 |
| 22-146-2161 | |

TABLE OF CONTENTS

| | |
|--|----|
| OPINIONS BELOW | 1 |
| JURISDICTION..... | 2 |
| CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED | 3 |
| STATEMENT OF THE CASE | 11 |
| REASONS FOR GRANTING THE WRIT | 17 |
| CONCLUSION..... | 20 |

INDEX TO APPENDICES

| | |
|------------|--|
| APPENDIX A | Decision of DC Court of Appeals |
| APPENDIX B | Denied Petition for Rehearing |
| APPENDIX C | Denied Petition for Judicial Review of "Unlawful" Orders from Trial Court |
| APPENDIX D | Denied Motion to Stay Trial Court Proceedings |
| APPENDIX E | "Unlawful" Order Upon Which Writ was Issued |
| APPENDIX F | US District Court Defaults against BWW Law Group and US Bank as Legal Title Trustee... |

TABLE OF AUTHORITIES

US CONSTITUTION

| | |
|----------------------|--------|
| Article 1, Section 8 | 11, 18 |
|----------------------|--------|

CASES

| | |
|---|------------|
| Tyler v. Hennepin County (2023) | 11, 12, 17 |
| Whalen v. United States (1980) | 17 |
| Pernell v. South Realty (1974) | 17 |
| Akassy v. William Penn Apartments (2006) | 12 |
| Valley v. Northern Fire & Marine Ins. Co. (1920) | 14 |

STATUTES AND RULES

| | |
|--------------------|--------|
| 42 USC 11301 | 15 |
| 42 USC 11311 | 15 |
| 42 USC 3531 | 15 |
| 28 USC 2403(a) | 11, 18 |
| 18 USC 3771 | 11 |
| FRCP 609(B)(4), 28 | 14 |

DC CODE

| | |
|------------|----|
| 4-771.01 | 15 |
| 4-752.03 | 15 |
| 42-3405.12 | 15 |
| 2-509 | 11 |
| 2-510 | 12 |

OTHER

| | |
|---|----|
| Housing Crisis Act of 2023; HR4233 | 15 |
| Housing is a Human Right Act of 2023; S2701 | 15 |
| Housing for All Act S2701; HR5254 | 15 |
| Community Housing Act of 2024; HR7325 | 15 |

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was February 7, 2025.
A copy of that decision appears at Appendix A.

☒ A timely petition for rehearing was thereafter denied on the following date: March 6, 2025, and a copy of the order denying rehearing appears at Appendix B.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Article 1, Section 8 of the US Constitution describes the Enumerated Powers of Congress granted by the Legislative Branch of the US Government. Congress maintains ultimate legislative authority over the District of Columbia and its court pursuant to the District of Columbia Self-Government and Governmental Reorganization (DC Home Rule) Act (1973)

Clause 1 General Welfare

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2 Borrowing

To borrow Money on the credit of the United States;

Clause 3 Commerce

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Clause 4 Uniform Laws

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

Clause 5 Standards

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

Clause 6 Counterfeiters

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

Clause 7 Post Offices

To establish Post Offices and post Roads;

Clause 8 Intellectual Property

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Clause 9 Courts

To constitute Tribunals inferior to the supreme Court;

Clause 12 Army

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Clause 13 Navy

To provide and maintain a Navy;

Clause 14 Land and Naval Forces Rules

To make Rules for the Government and Regulation of the land and naval Forces;

Clause 15 Calling Militias

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

Clause 16 Organizing Militias

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

Clause 17 Enclave Clause

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

Clause 18 Necessary and Proper Clause

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Article 4, Clause 2 of the US Constitution states:

"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

The 1st amendment to the United States Constitution

"Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

The 4th amendment to the United States Constitution

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

The 5th amendment to the United States Constitution

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

The 14th amendment of the United States Constitution states:

No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

7 Corpus Juris Secundum § 62

Attorney and Client § 62 (1937): An attorney may not even appear in a cause of action without some form of authority from the party on whose behalf he appears. *Lofberg v. Aetna Cas. & Sur. Co.*, 264 Cal. App. 2d 306, 308, 70 Cal. Rptr. 269, 270 (1968)

DC Code § 47-2201

Definitions. (d) **“In the District”** and **“within the District”** mean within the exterior limits of the District of Columbia and include all territory within such limits **owned by the United States of America**

DC Code § 2-510

a) Any person suffering a legal wrong, or adversely affected or aggrieved, by an order or decision of the Mayor or an agency in a contested case, is entitled to a judicial review thereof in accordance with this subchapter upon filing in the District of Columbia Court of Appeals a written petition for review. If the jurisdiction of the Mayor or an agency is challenged at any time in any proceeding and the Mayor or the agency, as the case may be, takes jurisdiction, the person challenging jurisdiction shall be entitled to an immediate judicial review of that action, unless the Court shall otherwise hold. The reviewing Court may by rule prescribe the forms and contents of the petition and, subject to this subchapter, regulate generally all matters relating to proceedings on such appeals.

DC Code § 2-510

“(a) Any person suffering a legal wrong, or adversely affected or aggrieved, by an order or decision of the Mayor or an agency in a contested case, is entitled to a judicial review thereof in accordance with this subchapter upon filing in the District of Columbia Court of Appeals a written petition for review. If the jurisdiction of the Mayor or an agency is challenged at any time in any proceeding and the Mayor or the agency, as the case may be, takes jurisdiction, the person challenging jurisdiction shall be entitled to an immediate judicial review of that action, unless the Court shall otherwise hold. The reviewing Court may by rule prescribe the forms and contents of the petition and, subject to this subchapter, regulate generally all matters relating to proceedings on such appeals. A petition for review shall be filed in such Court within such time as such Court may by rule prescribe and a copy of such petition shall forthwith be served by mail by the clerk of the Court upon the Mayor or upon the agency, as the case may be.”*Relator is daily being deprived of life and liberty since being unjustly displaced from her private, non-commercial property by federal agents on unlawful orders issued by the Superior Court of the District of Columbia without proper jurisdiction.*

18 U.S.C. § 3771, Crime Victims' Rights

“The right to be reasonably protected from the accused; the right to reasonable, accurate, and timely notice of any public court proceeding; the right not to be excluded from any such public court proceeding, the right to full and timely restitution as provided in law. The right to proceedings free from unreasonable delay among others.

42 U.S. Code § 3531 - Congressional declaration of purpose

The Congress hereby declares that the general welfare and security of the Nation and the health and living standards of our people require, as a matter of national purpose, sound development of the Nation's communities and metropolitan areas in which the vast majority of its people live and work.

To carry out such purpose, and in recognition of the increasing importance of housing and urban development in our national life, the Congress finds that establishment of an executive department is desirable to achieve the best administration of the principal programs of the Federal Government which provide assistance for housing and for the development of the Nation's communities; to assist the President in achieving maximum coordination of the various Federal activities which have a major effect upon urban community, suburban, or metropolitan development; to encourage the solution of problems of housing, urban development, and mass transportation through State, county, town, village, or other local and private action, including promotion of interstate, regional, and metropolitan cooperation; to encourage the maximum contributions that may be made by vigorous private homebuilding and mortgage lending industries to housing, urban development, and the national economy; and to provide for full and appropriate consideration, at the national level, of the needs and interests of the Nation's communities and of the people who live and work in them.

42 U.S. Code § 11301 - Findings and purpose

(a) Findings The Congress finds that—(1) the Nation faces an immediate and unprecedented crisis due to the lack of shelter for a growing number of individuals and families, including elderly persons, handicapped persons, families with children, Native Americans, and veterans; (2) the problem of homelessness has become more severe and, in the absence of more effective efforts, is expected to become dramatically worse, endangering the lives and safety of the homeless; (3) the causes of homelessness are many and complex, and homeless individuals have diverse needs; (4) there is no single, simple solution to the problem of homelessness because of the different subpopulations of the homeless, the different causes of and reasons for homelessness, and the different needs of homeless individuals; (5) due to the record increase in homelessness, States, units of local government, and private voluntary organizations have been unable to meet the basic human needs of all the homeless and, in the absence of greater Federal assistance, will be unable to protect the lives and safety of all the homeless in need of assistance;

and(6)the Federal Government has a clear responsibility and an existing capacity to fulfill a more effective and responsible role to meet the basic human needs and to engender respect for the human dignity of the homeless.

(b)Purpose

It is the purpose of this chapter—

(1)to establish the United States Interagency Council on Homelessness;(2)to use public resources and programs in a more coordinated manner to meet the critically urgent needs of the homeless of the Nation; and(3)to provide funds for programs to assist the homeless, with special emphasis on elderly persons, handicapped persons, families with children, Native Americans, and veterans.

42 U.S. Code § 11311 - Establishment

There is established in the executive branch an independent establishment to be known as the United States Interagency Council on Homelessness whose mission shall be to coordinate the Federal response to homelessness and to create a national partnership at every level of government and with the private sector to reduce and end homelessness in the nation while maximizing the effectiveness of the Federal Government in contributing to the end of homelessness.

On Irreparable Injury

“The most important inquiry in the injunction analysis concerns irreparable injury. *Antioch*, supra, 418 A.2d at 109. Courts have determined that displacement equates to irreparable harm if. See, e.g., *Higbee v. Starr*, 698 F.2d 945, 947 (8th Cir. 1983) (depriving someone of a place to live constitutes irreparable harm); *Vargas v. Municipal Court for Riverside Judicial Dist.*, 587 P.2d 714, 722 n.7 (Cal. 1978) (noting that eviction inevitably results in irreparable harm); *Housing Works, Inc. v. City of New York*, 680 N.Y.S.2d 487, 491 (N.Y. App. Div. 1998) (noting that potential of eviction presented irreparable harm).”

“This court (DC Court of Appeals) has previously indicated that a party seeking temporary equitable relief need not show a “mathematical probability of success on the merits.” See *Antioch*, supra, 418 A.2d at 110 (citations omitted). Rather, the level of probability of success that must be demonstrated will vary according to the court’s assessment of the other factors pertinent to the analysis. See *id.* (citation omitted). Thus, “[a] stay may be granted with either a high probability of success and some injury, or vice versa.” *Cuomo v. United States Nuclear* Regulatory Comm’n, 772 F.2d 972, 974 (D.C. Cir. 1985); see also *Antioch*, 418 A.2d at 110- 11 (suggesting that more stringent “probable success” on the merits standard had to be employed because movant had failed to show irreparable harm by clear and convincing evidence). Thus, if irreparable harm is clearly shown, the movant may prevail by demonstrating that he or she has a “substantial case on the merits.” See *Antioch*, supra, 418 A.2d at 110-11

"A protective order is an equitable remedy... intended to preserve the status quo until the merits determination, with the view toward "maintain[ing] the proper balance, pendente lite, in the unique arena of landlord-tenant litigation." Davis v. Rental Assocs., Inc., 456 A.2d at 829

On Void Judgments

"A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. It is clear and well established law that a void order can be challenged in any court", OLD WAYNE MUT. L. ASSOC. v. McDONOUGH, 204 U. S. 8, 27 S. Ct. 236 (1907).

When an appeal is taken from a void judgment, the appellate court must declare the judgment void. Because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal. A void judgment may be attacked at any time by a person whose rights are affected. See El-Kareh v. Texas Alcoholic Beverage Comm'n, 874 S.W.2d 192, 194 (Tex. App.—Houston [14th Dist.] 1994, no writ); see also Evans v. C. Woods, Inc., No. 12-99-00153-CV, 1999 WL 787399, at *1 (Tex. App.—Tyler Aug. 30, 1999, no pet. h.).

A Party Affected by VOID Judicial Action Need Not APPEAL. State ex rel. Latty, 907 S.W.2d at 486. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." Ex parte Spaulding, 687 S.W.2d at 745 (Teague, J., concurring). If an appeal is taken, however, the appellate court may declare void any orders the trial court signed after it lost plenary power over the case, because a void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment.

The US Supreme Court held that if a court is "without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void; and form no bar to a recovery sought, even prior to a reversal in opposition to them. They constitute no justification; and all persons concerned in executing such judgments or sentences, are considered, in law, as trespassers." Elliott v. Lessee of Piersol, 26 U.S. 328 (1828)

When a rule providing for relief from void judgments is applicable, relief is not discretionary matter, but is mandatory, Omer. V. Shalala, 30 F.3d 1307 (Cob. 1994). A Judgment is a void judgment if the court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A., U.S.C.A. Const. Amend. 5 —Kiugh v. U.S., 620 F.Supp. 892 (D.S.C. 1985).

On Judicial Disability and Disqualification

"Disqualification is required if an objective observer would entertain reasonable questions about the judge's impartiality. If a judge's attitude or state of mind leads a detached observer to conclude that a fair and impartial hearing is unlikely, the judge must be disqualified." [Emphasis added]. Liteky v. U.S., 114 S.Ct. 1147, 1162 (1994).

Should a judge issue any order after automatic disqualification by law, then the judge may have committed criminal Hobbs Act violations of 18 U.S.C. § 1951 in his own personal capacity. United States v. Sciuto, 521 F.2d 842, 845 (7th Cir. 1996) ("The right to a tribunal free from bias or prejudice is based, not on section 144, but on the Due Process Clause.").

Courts have repeatedly held that positive proof of the partiality of a judge is not a requirement, only the appearance of partiality. *Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847, 108 S.Ct. 2194 (1988) (what matters is not the reality of bias or prejudice but its appearance);

United States v. Balistrieri, 779 F.2d 1191 (7th Cir. 1985) (Section 455(a) "is directed against the appearance of partiality, whether or not the judge is actually biased.") ("Section 455(a) of the Judicial Code, 28 U.S.C. §455(a), is not intended to protect litigants from actual bias in their judge but rather to promote public confidence in the impartiality of the judicial process."). That Court also stated that Section 455(a) "requires a judge to recuse himself in any proceeding in which her impartiality might reasonably be questioned." *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989). In *Pfizer Inc. v. Lord*, 456 F.2d 532 (8th Cir. 1972), the Court stated that "It is important that the litigant not only actually receive justice, but that he believes that he has received justice."

The Supreme Court has ruled and reaffirmed the principle that "justice must satisfy the appearance of justice", *Levine v. United States*, 362 U.S. 610, 80 S.Ct. 1038 (1960), citing *Offutt v. United States*, 348 U.S. 11, 14, 75 S.Ct. 11, 13 (1954). "Recusal under Section 455 is self-executing; a party need not file affidavits in support of recusal and the judge is obligated to recuse herself sua sponte under the stated circumstances." *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989). Further, a judge has a legal duty to disqualify himself even if there is no motion asking for his disqualification. The Seventh Circuit Court of Appeals further stated that "We think that this language [455(a)] imposes a duty on the judge to act sua sponte, even if no motion or affidavit is filed." *Balistrieri*, at 1202.

District of Columbia Self-Government and Governmental Reorganization (Home Rule) Act of 1973

Housing Crisis Response Act of 2023, HR 4233

Housing is a Human Right Act of 2023, S.2701

Housing for All Act S.2701, HR 5254

Community Housing Act of 2024, HR 7325

The National Banking Act of 1864

The Bank Holding Companies Act of 1956

Title 12 of the US Code of Federal Regulations on Banks and Banking

STATEMENT OF THE CASE

The details laid out in this petition for writ of certiorari describe key issues for which 28 U. S. C. §2403(a) may apply. The trial court decision affirmed by the DC Court of Appeals for which Relator seeks the Supreme Court's review conflicts with a unanimous decision rendered by the US Supreme Court in *Tyler v Hennepin County, Minnesota*, 598 U.S. 631, 143 S. CT. 1369 2023 declaring home equity theft unconstitutional. This case is a judicial taking of private property by the District of Columbia over which Congress retains ultimate legislative authority through the enumerated powers granted under Article 1, Section 8 of the Constitution. Relator has targeted and retaliated against for reporting judicial disability and denied due process as just compensation, injunctive relief, and basic protections under the law resulting in irreparable harm.

Certiorari is appropriate to review the current, continued, and ongoing material harm; deprivation of rights under an unconstitutional statute, violations of constitutional protections deprived or delayed in the trial court proceeding. The Supreme Court is most appropriate to clarify discrepancies between its *Tyler* decision and DC Court of Appeal ruling since the District of Columbia has no operative independent constitution. Relator has no adequate remedy at law.

On March 5, 2025, armed US Marshals invaded Relator's private shelter of 18 years without prior notice to deliver possession of Relator's house to Douglas Perry of REMAX Excellence Realty by forcible removal. The writ issued from an "order" rendered at a clandestine "ex-parte proof hearing" for which the court reporter has no record that could be appealed since it never appeared on the docket of the case. This hearing would have been in violation of DC Code § 2-509 on Contested Cases and 18 U.S.C. § 3771, Crime Victims' Rights if it took place. The issuance of an order by an unnamed judge after a notice of automatic disqualification by law was entered on the record speaks to just one of several significant "departures from the essential requirements of law" for which petitioner submits this emergency request for relief by certiorari.

The Clerk's Office of the DC Court of Appeals rejected Relator's Petition for a judicial review of the forged, fraudulent, and fabricated "order" for 5 different reasons. Among them, Relator was told that the Superior Court was not an agency of the DC Government, that its orders are not administrative proceedings subject to review, and that judicial review is not recognized in the Appellate court rules despite the court's citing in DC Code § 2-510. Relator's Petition for Judicial Review enumerated several reversible legal errors in the lower court's judgment and documented significant conflicts of interest which translated as judicial bias rendering the trial court incapable of ruling impartially in the matter. This denial effectively affirmed the trial court's unlawful order resulting in irreparable injury to the Relator.

These trial court proceedings were initiated by attorneys from BWW Law Group allegedly on behalf of US Bank National Association as Legal Title Trustee for Truman 2016 SC6 Title Trust with no proof of the authorities delegated by board level decision to litigate any interest in private, non-commercial property unsuitable to augment the bank's core business as required by federal banking regulations. Representatives of the bank have never appeared in court and the record is absent admissible evidence that any bank ever retained the litigating firm. Despite precedent rulings by the DC Court of Appeals identifying even a threat of displacement as irreparable injury,⁴ Relator was repeatedly denied protections of the DC Superior Court and the DC Court of Appeals in the form of injunctive relief, emergency stays, or restraining orders.

While trial court decisions remain on appeal in the DC Court of Appeals, to include the "judicial foreclosure" by which the unauthorized attorneys claim to have acquired its possessory interest in the absence of an actual final judgment, armed US Marshals deployed on behalf of BWW Law Group and US Bank National Association as Legal Title Trustee for Truman 2016

⁴ "The upheaval of the tenant from his home, even if he can find alternative housing, creates a cognizable irreparable injury." *Akassy v. William Penn Apartments* A.2d Page (D.C. 2006)

SC6 Title Trust to execute its “unlawful” orders. Both US Bank and BWW Law Group remain in default in a Bill Quia Timet action in equity to quiet title, remove clouds, preserve Relator’s claim to superior title, equitable interest and beneficial ownership of the property, and prevent further irreparable currently pending before in the US District Court of the District of Columbia. The DC Court of Appeals refused to file Relator’s Petition for Judicial Review of the “unlawful” order issued by the trial court clearly protecting an intent to inflict substantial material harm.

Substantial harm can be presumed where actions of the court implicate, violate, remove, deprive or delay fundamental constitutional protections constituting significant material harm that is current, continued, ongoing and therefore irreparable by nature. The courts’ denials of basic protections under the law pending appeal or judicial review of orders to which she is entitled speak to the magnitude of collusion required to facilitate the type of state-sponsored home equity theft that the supreme court by unanimous decision declared unconstitutional in *Tyler v. Hennepin County, Minnesota*, 598 U.S. 631, 143 S. CT. 1369 (2023). Pacific Legal Foundation, a non-profit public interest law firm established for the purpose of defending and promoting individual freedom successfully represented the plaintiff in that matter.

Pacific Legal Foundation published research including the District of Columbia among 19 other states that maintain laws and legal procedures that allow unconstitutional processes which allow the taking of private non-commercial, non-industrial, non-agricultural property by judicial decree, title laundering, deed fraud, and abuses of process without due process as just compensation provided in advance to persist even to this day. Despite firsthand evidence of fraud upon the court delivered as sworn testimony from a detailed chain of title analysis, pending appeals, ongoing litigation, and fatal procedural errors all presented for the court’s review,

Relator has been unable to get any ruling for injunctive relief, a stay of proceedings, or even a fair hearing from the DC Courts or any judicial officer employed by the District of Columbia.

In order to maintain their employment, all DC Government employees are required to act as directed by their immediate employer. When those interests violate the US Constitution or the oaths of office they took to uphold its principles, it is essential for the Supreme Court to affirm the supremacy of its constitutional determinations to which all DC Government activity should rightfully defer. *"It is difficult to get a man to understand something when his salary depends upon his not understanding it," ~Upton Sinclair* Any competent judge or judicial officer of the District of Columbia court system knows or should know that the hierarchy of law dictates that no code of the District of Columbia trumps provisions made by the US Constitution, laws (statutes) enacted by Congress, rules promulgated by federal agencies. Relator's case proves this is not the standard in the District of Columbia.

The blatant display of bad faith and dereliction of the District of Columbia and its courts' duty of care as public servants, fiduciaries, and trustees is dangerous. Its power, discretion, and willingness to deploy federal resources in the form of US Marshals to execute void orders issued by the court with impunity to benefit select licensed agents at the expense and in retaliation of private people exercising their rights and entitlements to constitutional protections under the law merits review. Fed. Rules Civ. Proc., Rule 60(b)(4) states that a judgment is void if the court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process. This determination is not restricted or time bound. Further, "The law is well-settled that a void order or judgement is void even before reversal", VALLEY v. NORTHERN FIRE & MARINE INS. CO., 254 U.S. 348, 41 S. Ct. 116 (1920)

Instead of handling Relator with the duty of care required by trustees and fiduciaries of the court, District agents have colluded to deploy federal resources to inflict irreparable injury on private people. Respondents' collusive activity frustrates the legislative intent of the District's commitment to prevent homelessness in § 4–771.01 of the DC Code on Public Care Systems, undermines its creation of an Interagency Council on Homelessness in § 4–752.03 Chapter 7A Subchapter II, and directly violates public policy on homelessness prevention articulated in federal statutes under Title 42 of the US Code identified as (42 USC §11301, 42 USC §11311, 42 USC § 3531). DC Code § 42–3405.12. Declaration of continuing housing crisis. Housing Crisis Response Act of 2023 H.R.4233; Housing is a Human Right Act of 2023, S.2701 Housing for All Act S.2701, H.R.5254); Community Housing Act of 2024. H.R.7325

While the DC courts function similarly to state courts in many respects, there is no operative constitution by which to interpret “state” constitutional protections independent of those afforded by the federal Constitution. Any law that is repugnant to the constitution is null and void. The DC courts are sometimes in the position of interpreting *federal* statutes that function like DC law, in that the statutes solely concern DC. This raises a complex set of questions about the extent to which federal courts should defer to DC courts' interpretations of such laws particularly since Congress maintains such an active role in legislating on matters in the district.

It is Relator's understanding that no court or agency of any state government in the US or the District of Columbia has the authority to extend its jurisdiction beyond what has been designated to Congress. The District of Columbia courts lack subject matter jurisdiction to adjudicate the taking of private, non-commercial, non-industrial, non-agricultural, non-income producing property without due process as just compensation. It is also Relator's understanding

that the District of Columbia court's jurisdiction to deploy US Marshals to seize private property is limited to "lawful orders" under criminal codes or public property owned by the United States.

Relator's case proves that these actions continue unchecked in the District of Columbia and across the Nation. This petition for a writ of certiorari offers a unique, timely, and important opportunity for the court to further expound its unanimous position on unconstitutional rulings issued by lower courts as a direct extension of its Congressional oversight over the District of Columbia without any "state" constitutional provisions or protections. The court's review of a case that clarifies the application of its unanimous decision on a landmark matter of national significance affecting the most vulnerable populations in our nation's capital and across the country presents a good reason to grant this petition.

REASONS FOR GRANTING THE PETITION

Relator submits that the “certworthiness” of this petition for writ of certiorari lies in the Supreme Court’s unanimous decision on the unconstitutionality of state-sponsored home equity theft in *Tyler v. Hennepin County, Minnesota*, 598 U.S. 631, 143 S. CT. 1369 (2023). Pacific Legal Foundation, the non-profit public interest law firm established for the purpose of defending and promoting individual freedom that represented the plaintiff in that matter, published research including the District of Columbia among 19 other states that maintain laws and legal procedures that allow these unconstitutional processes to persist even to this day.

The record of the matter being referred to the Supreme Court for review reflects that Relator fell victim to a similar unconstitutional scheme which persists in the District of Columbia. The Court should grant Relator’s petition not only to relieve her ongoing irreparable material injury, but because this case has the potential of setting an important precedent for the court’s tolerance of decisions made by administrative law judges in the Nation’s Capital and municipal courts across the country deemed inconsistent with the constitution. This petition gives the court a unique opportunity to clarify how its unanimous position on fundamental constitutional protections articulated in *Tyler* play out in the courts across America.

In *Whalen v. United States*, 445 U.S. 684 (1980), the US Supreme Court clarified its “reluctance to review decisions of the courts of the District (of Columbia) involving matters of peculiarly local concern” previously expressed in *Pernell v. Southall Realty*, 416 U.S. 363 (1974) as “a matter of judicial policy, not a matter of judicial power.” In that case, it declined to defer to the DC Court of Appeals’ interpretation of a federal statute that codified felony murder in DC because the Court could not decide the federal constitutional question at issue without also deciding the meaning of the federal statute.

Relator presents an important question for the court's review for which 28 U. S. C. §2403(a) may be applicable. Pursuant to the District of Columbia Self-Government and Governmental Reorganization (Home Rule) Act of 1973, Congress retains ultimate legislative authority over the District of Columbia under Article 1, Section 8 of the US Constitution wherein the enumerated powers of Congress limit congressional jurisdiction to commercial property, public lands owned and controlled by the United States of America, or private property condemned and seized by eminent domain with due process as just compensation paid in advance.

While the DC courts function similarly to state courts in many respects, there is no operative constitution by which to interpret "state" constitutional protections independent of those afforded by the federal Constitution. Any law that is repugnant to the constitution is null and void. The DC courts are sometimes in the position of interpreting *federal* statutes that function like DC law, in that the statutes solely concern DC. This raises a complex set of questions about the extent to which federal courts should defer to DC courts' interpretations of such laws particularly since Congress maintains such an active role in legislating on matters in the district.


It is Relator's understanding that no court or agency of any state government in the US or the District of Columbia has the authority to extend its jurisdiction beyond what has been designated to Congress. The District of Columbia courts lack subject matter jurisdiction to adjudicate the taking of private, non-commercial, non-industrial, non-agricultural, non-income producing property without due process as just compensation. It is also Relator's understanding that the District of Columbia court's jurisdiction to deploy US Marshals to seize private property is limited to "lawful orders" under criminal codes or public property owned by the United States.

Relator's case proves that these actions continue unchecked in the District of Columbia and across the Nation. This petition for a writ of certiorari offers a unique, timely, and important opportunity for the court to further expound its unanimous position on unconstitutional rulings issued by lower courts as a direct extension of its Congressional oversight over the District of Columbia. This ruling will give much needed guidance of national importance to ensure that states are equipped to reform policy to maintain congruence between "state-level" constitutional provisions and protections guaranteed by the Constitution. The court's review of a case that clarifies the application of its unanimous decision on a landmark matter of national significance affecting the most vulnerable populations in our nation's capital and across the country presents a good reason to grant this petition.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "May/8", is written over a horizontal line.

Date: March 17 2025