

24-7380
No. _____

ORIGINAL

Supreme Court, U.S.
FILED

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OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

MEGAN ROSENBAUM – PETITIONER

VS.

GREGORY THOMPSON SR. – RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO

THE SUPREME COURT OF INDIANA

PETITION FOR WRIT OF CERTIORARI

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Question Presented

Were my civil rights violated when the Small Claims Court of Hendricks County denied my right to attend the hearing and defend myself as to an eviction from my home? Or to secure a "legal" representative to defend me.

List of Parties

All parties do not appear in the caption case. My father, Steven Rosenbaum, a 75 year old retiree, was also evicted from his home as well. He was not involved in the altercation between Mr. Thompson and myself.

Related Cases

None

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Opinions Below

The opinion of the highest Court of Indiana to review the merits appears at Appendix F to this petition and is reported at

The opinion of the Appellate Court of Indiana appears at Appendix E to this petition and is reported at

The opinion of the Hendricks County Small Claims Court appears at APPENDIX D to this petition and is reported at Appendix C and is reported in the Hendricks County Clerks Office.

Jurisdiction

The date on which the highest state court, the Indiana Supreme Court, decided my case was December 12, 2024. A copy of the decision appears in Appendix F.

The jurisdiction of the court is involved under 28 U.S.C 1257(a).

Statement of the Case

I find it highly upsetting that three Indiana courts(County, Appellate, and Supreme) have now approved a new, quicker, and easier means of evicting someone. It does not matter if the renter is in compliance with their lease or not.

On Wednesday, July 10th, 2023, I was arguing with my father about going to his sister's home for a few days. We were standing about 10 feet apart. He did not want to go. Our landlord who was sitting next to me reached up and hit me in the face to get me to be quiet. I was sent to the hospital. While in the hospital, I was served with a court summons for eviction at 4:30 on Friday. The court date was Monday at 9:30. The rent was current, and my father and I were in compliance with our lease.

Mr. Thompson's action is considered battery in Indiana, a Class A misdemeanor. Mr. Thompson admitted in the court hearing that he struck me first even though he was not involved in the argument(Appendix D, Tr. Pg. 16 Lines 7-8). Mr. Thompson, our landlord, argued he was scared of me retaliating against him if I continued to live in the house. Mr. Thompson is a 250 lb. ex-marine. I weigh about 105 lbs. The fact that Mr. Thompson attacked me was not considered by the courts in their ruling to evict my father and me.

While I was in the hospital, my father filed a motion with the court for a continuance prior to the hearing on Monday morning at 9:30. He is 75 years old and not an attorney. He requested that the hearing be continued until after I was released from the hospital so that I could attend(Appendix B). The Hendricks County Court, acknowledging that I was in the hospital, denied me and my father's motion stating my father could represent me in defending my objection to the eviction(Appendix D, Tr. Pg 4 Lines 11-12, Tr. Pg 5 Lines 12-13/Appendix E, Pg. 4).

The 5th, 7th. And 14th Amendments of the U.S. Constitution as well as the Indiana Constitution, Article 1, Section 11, states I have the right to defend myself in the court of law or to secure legal representation – not my father(Constitutional Statutes). This violated my civil rights by not being allowed to attend the court hearing and defend myself). "Nor shall any State deprive any person of life, liberty, or property without due process of law"

The eviction order was immediate stating I was not allowed near my home without a police escort. I was, therefore, homeless when I got out of the hospital on Tuesday morning through no fault of my own. We were able to reach an agreement with Mr. Thompson where we could stay in the house until the end of the month to allow us to find another place to live. The fact that the eviction was on both my father's and mine court records caused us a severe hardship in securing new place to live. We were denied twice before an apartment community agreed to rent to us if we would pay an additional month's nonrefundable deposit.

Reasons for Granting the Writ

This eviction will be in our court record for ten years affecting our credit and our ability to move to another home. I did not do anything wrong. The evection is unfair and unconstitutional. I am requesting this court vacate the eviction from our record for both myself and my father.

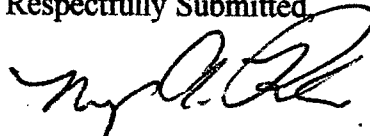
Conclusion

This court may consider this case small and petty and not worth its time. However, this ruling will follow me and my father around for ten years on the court records. Mr. Thompson, his attorney, Mr. Rowings, and the Court coordinated to make sure I would not be allowed to appear in court to defend myself. Or be allowed to secure a legal representative to defend me in court. Both the Appellate and the Supreme Court of Indiana ruled this is perfectly legal in Indiana.

The question here is whether the Supreme Court agrees that the Bill of Rights and the United States Constitution are just an old piece of paper that sounds good - merely window dressing. Can the laws established two hundred fifty years ago in finding our country be ignored at any court's will?

This petition for a writ of certiorari should be granted.

Respectfully Submitted,



Megan A. Rosenbaum

Date: 3/10/2025