

**IN THE SUPREME COURT OF THE UNITED STATES**

**DEBORAH A. LONZER**

130 Strecker Drive,

Tallmadge, Ohio 44278

Vs.

Index No. 2024-0276

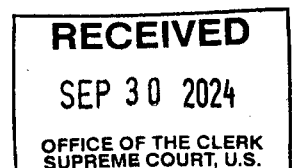
**KEYBANK NATIONAL ASSOCIATION**

4910 Tiedemann Road

Brooklyn, Ohio 44144

**MOTION TO DIRECT THE CLERK TO FILE THE PETITION FOR A WRIT**  
**OF CERTIORARI OUT OF TIME**

Petitioner, (Deborah A. Lonzer), respectfully moves a “Motion to Direct the Clerk to File the Petition for a Writ of Certiorari Out of Time” in the above captioned matter. This petition is filed along with the petition for a writ of certiorari.



### **Introduction:**

1. On August 13, 2024, Petitioner filed a petition for a writ of certiorari seeking review of the decision by the Supreme Court of Ohio. The petition was postmarked on August 13, 2024 and received by this Honorable Court on August 15, 2024. The Honorable Court returned papers to the petitioner on August 16, 2024 being out of time. (A copy of the intimation letter dated August 16, 2024 issued by the Clerk of this Honorable Court is attached herewith as “Exhibit A”).
2. Later, a petition for rehearing was filed by the Petitioner with this Honorable Court on September 07, 2024. (A copy of the petition for rehearing is attached herewith this motion as “Exhibit B”).
3. Afterwards, a letter of intimation dated September 13, 2024 was issued by this Honorable Court to the Petitioner / Deborah A. Lonzer by mentioning that ***“the papers are returned for the following reasons, If you are seeking to file your petition for a writ of certiorari out of time, you must file the petition with a motion to direct the Clerk to file the petition out of time”.*** (A copy of the intimation letter dated September 13, 2024 issued by the Clerk of this Honorable Court is attached herewith this motion as “Exhibit C”).

### **Factual Background:**

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- i. A complaint for foreclosure was filed by the respondent against the petitioner with the Court of Common Pleas Summit County, Ohio for claiming an amount of \$48,936.38 against the home loan on June 28, 2019.
- ii. Petitioner submitted an answer of complaint with the Court of Common Pleas, Summit County, Ohio on August 12, 2019.
- iii. A motion for summary judgment along with a motion for default judgment was filed with the Court of Common Pleas, Summit County Ohio by the respondent on March 12, 2020.
- iv. A request for ruling on dispositive motions was filed with the Court of Common Pleas by the respondent on December 15, 2021.
- v. The summary judgment was entered by the Court of Common Pleas, Summit County, Ohio on February 09, 2022.
- vi. The judgment entry confirming sale was ordered by the Court of Common Pleas, Summit County, Ohio by awarding the purchaser/UAKE properties LLC, possession of the premises on June 02, 2023.
- vii. A writ of possession was filed by the purchaser / UAKE properties LLC with the Sheriff of Summit County on July 26, 2023.

- viii. A motion to vacate Sheriff's sale was filed by the Petitioner /Deborah A. Lonzer with the Court of Common Pleas, Summit County, Ohio on August 25, 2023.
- ix. The motion to vacate Sheriff's sale was denied by the Court of Common Pleas, Summit County, Ohio on August 29, 2023.
- x. Notice of Appeal was filed by Deborah A. Lonzer /Petitioner to the Court of Appeals, Summit County, Ohio on September 07, 2023. Later, the appeal was dismissed on January 09, 2024.
- xi. A Notice of appeal was filed by the Petitioner / Deborah A. Lonzer with the Supreme Court of Ohio on February 23, 2024. Later, the Supreme Court of Ohio declined to accept jurisdiction of the appeal by its Order dated May 14, 2024.

**Reasons for Motion to Direct the Clerk to File the Petition for a Writ of Certiorari Out of Time are outlined as follows:**

**Reason No.1- (Extraordinary Circumstances):**

1. No doubt, it's a legal requirement that a writ of certiorari should be filed within 90 days from the date of the Order/Judgment of the lower court. The delay in filing a writ of certiorari with this Honorable Court for just and only one (01) day is neither willful nor deliberately. But due to the compelling circumstances for the

ailment of the Petitioner. The Petitioner was unable to file the writ of certiorari immediately. (Petitioner's ailment proof is attached herewith this petition as "Exhibit D").

**Reason No.2- (The Lower Court Overlooked Significant Aspects of the Case):**

2. The lower court overlooked and misapprehended legal and factual aspects of the case that, if properly considered, would have warranted a different outcome.

**Reason No.3- (Public Interest of the Issues):**


3. The case presents a significant question of federal law that has not been, but should be, settled by this Honorable Court. The issue of public or great general interest and involves a substantial constitutional question has far-reaching implications for the petitioner as well as affected parties and the Supreme Court's guidance is necessary to provide clarity and consistency.

**Prayer:**

For the foregoing reasons, Petitioner respectfully requests that the Honorable Court grant this "Motion to Direct the Clerk to File the Petition for a Writ of

Certiorari Out of Time” to decide the matter on merits and secure the ends of justice.

**Petitioner**

  
Deborah A. Lonzer (Pro-Se)

**Additional material  
from this filing is  
available in the  
Clerk's Office.**