

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Deborah A. Lonzer — PETITIONER
(Your Name)

KeyBank National vs. Association
% Reimer Law Co. — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

☐ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

☒ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

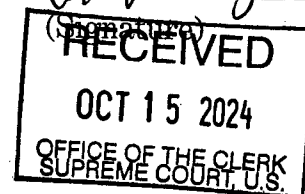
☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: _____
_____, or

☐ a copy of the order of appointment is appended.

Deborah A. Lonzer
(Signature)



**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Deborah A. Lonzer, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>1166.66</u>	\$ _____	\$ _____	\$ _____
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>3047.00</u>	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
Total monthly income:	\$ <u>4,213.66</u>	\$ _____	\$ _____	\$ _____

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
Akron Public Schools	10. North Main Akron OH	1/2016 - Present	\$ 1166.66
			\$
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 1,000
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
Checking	\$ 2,000.00	\$
Savings	\$ 500.00	\$
	\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

☐ Home
Value _____

☐ Other real estate
Value _____

☒ Motor Vehicle #1
Year, make & model 2022 Tesla #3
Value 50,000

☐ Motor Vehicle #2
Year, make & model _____
Value _____

☐ Other assets
Description _____
Value _____

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money

Amount owed to you

Amount owed to your spouse

_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name

Relationship

Age

_____	_____	_____
_____	_____	_____
_____	_____	_____

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

You

Your spouse

Rent or home-mortgage payment
(include lot rented for mobile home)

\$ 950.00 \$ _____

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

Utilities (electricity, heating fuel,
water, sewer, and telephone)

\$ 300.00 \$ _____

Home maintenance (repairs and upkeep)

\$ _____ \$ _____

Food

\$ 300.00 \$ _____

Clothing

\$ 300.00 \$ _____

Laundry and dry-cleaning

\$ 50.00 \$ _____

Medical and dental expenses

\$ ~~200.00~~ 100.00 \$ _____
Bl.

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>70.00</u>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>583.00</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ _____	\$ _____
Life	\$ <u>200.00</u>	\$ _____
Health	\$ <u>357.00</u>	\$ _____
Motor Vehicle	\$ <u>117.21</u>	\$ _____
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ _____	\$ _____
Installment payments		
Motor Vehicle	\$ <u>619.00</u>	\$ _____
Credit card(s)	\$ _____	\$ _____
Department store(s)	\$ _____	\$ _____
Other: <u>Home Improvement loan</u>	\$ <u>500.00</u>	\$ _____
Alimony, maintenance, and support paid to others	\$ _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____
Total monthly expenses:	\$ <u>4446.21</u>	\$ _____

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☒ Yes ☐ No If yes, describe on an attached sheet.

Moving expenses the first of next year.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? ☐ Yes ☒ No

If yes, how much? _____

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☒ No

If yes, how much? _____

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

Many medical expenses due to the stress of losing my home and taking temporary shelter. The loss of wages due to unlawful arrest and jail time.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 9th, 2024



Maurice A. Donahoo
(Signature)

[Handwritten signature]

No.....

SUPREME COURT OF THE UNITED STATES

Deborah A. Lonzer

Petitioner,

Vs.

KeyBank National Association

Respondent.

On Petition for a Writ of Certiorari to

The Supreme Court of Ohio

PETITION FOR A WRIT OF CERTIORARI

*Deborah A. Lonzer
130 Strecker Drive
Tallmadge, Ohio 44278
Pro-Se*

I. Question Presented

Whether the Supreme Court of Ohio has jurisdiction to review an order denying appeal.

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Appendix A, Order of the Supreme court of Ohio

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III. Table of Authorities

Cases

AT&T Mobility LLC v. Concepcion,	
131 S. Ct. 1740 (2011)	
Baker v. Microsoft Corp.,	
851 F. Supp. 2d 1274 (W.D. Wash. 2012)	
Bd. of Sch. Comm'rs v. Jacobs,	
420 U.S. 128 (1975)	
Berger v. Home Depot USA, Inc.,	
741 F.3d 1061 (9th Cir. 2014)	
Bobbitt v. Milberg LLP,	
___ F.3d ___, 2015 WL 5255081	
(Sept. 10, 2015)	
Bowe v. First of Denver Mortg. Investors,	
613 F.2d 798 (10th Cir. 1980)	
Camesi v. Univ. of Pittsburgh Med. Ctr.,	
729 F.3d 239 (3d Cir. 2013)	
Chamberlan v. Ford Motor Co.,	
402 F.3d 952 (9th Cir. 2005)	
Chavez v. Illinois State Police,	

251 F.3d 612 (7th Cir. 2001)

Coopers & Lybrand v. Livesay,
437 U.S. 463 (1978)

Druhan v. Am. Mut. Life,
166 F.3d 1324 (11th Cir. 1999)

Eisen v. Carlisle & Jacquelin,
417 U.S. 156 (1974)

Ewert v. Ebay, Inc.,
No. 07-CV-2198, 2010 WL 4269259
(N.D. Cal. Oct. 25, 2010)

Gary Plastic Packaging Corp. v. Merrill
Lynch, Pierce, Fenner & Smith, Inc.,
903 F.2d 176 (2d Cir. 1990), cert.
denied, 498 U.S. 1025 (1991)

Genesis Healthcare Corp. v. Symczyk,
133 S. Ct. 1523 (2013)

Henson v. Fid. Nat'l Fin., Inc.,
No. 14-56578 (9th Cir.), 2015 WL
4537372

Himler v. Comprehensive Care Corp.,
993 F.2d 1537 (4th Cir. 1993)

Huey v. Teledyne, Inc.,

Constitutional Provisions and Statutes

U.S. Const. art. III	
28 U.S.C. § 1254(1)	
28 U.S.C. § 1291	
28 U.S.C. § 1292(b)	
28 U.S.C. § 1292(e)	

IV. Petition for Writ of Certiorari

Petitioner respectfully petitions for a writ of certiorari to review the decision of the Supreme Court of Ohio in No. 2024-0276.

V. Opinions Below

The decision by the Supreme Court of Ohio denying Deborah A. Lonzer / Petitioner's appeal is reported as KeyBank National Association v. Deborah A. Lonzer is published on May 14, 2024.

VI. Jurisdiction

The Supreme Court of Ohio issued its decision on May 14, 2024. Therefore, the Petitioner invokes this Court's jurisdiction under 28 U.S.C. § 1254(1). The Petitioner having timely filed this petition for a writ of certiorari within ninety days from the date of decision of the Supreme Court of Ohio.

VII.Relevant Constitutional and Statutory Provisions

Article III, Section 2 of the United States Constitution provides in relevant part: “The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States,” and to certain “controversies.” 28 U.S.C. § 1291 provides in relevant part: “The courts of appeals (other than the United States Court of Appeals for the Federal Circuit) shall have jurisdiction of appeals from all final decisions of the district courts of the United States . . .”

28 U.S.C. § 1292(e) provides: “The Supreme Court may prescribe rules, in accordance with section 2072 of this title, to provide for an appeal of a decision to the courts of appeals that is not otherwise provided under subsection (a), (b), (c), or (d).”

VIII. Statement of the Case

This case presents an important jurisdictional issue concerning appellate jurisdiction.

1. 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 home loan on June 28, 2019.

2. Petitioner submitted answer of complaint with the Court of Common Pleas, Summit County, Ohio on August 12, 2019.

3. 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.

4. A request for ruling on dispositive motions was filed with the Court of Common Pleas by the respondent on December 15, 2021.
5. The summary judgment was entered/issued by the Court of Common Pleas, Summit County, Ohio on February 09, 2022.
6. 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.
7. A writ of possession was filed by the purchaser / UAKE properties LLC with the Sheriff of the Summit County on July 26, 2023.
8. 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.
9. The motion to vacate Sheriff's sale was denied by the Court of Common Pleas, Summit County, Ohio on August 29, 2023.
10. Notice of Appeal was filed by the 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.
11. 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.

IX. Reasons for Granting the Writ

**THE SUPREME COURT OF OHIO DECLINED TO ACCEPT
JURISDICTION OF THE APPEAL PURSUANT TO S.Ct.Prac.R. 7.08(B)
THIS COURT SHOULD CLARIFY THE “JURISDICTION FOR
APPEAL”**

The decision of the Supreme Court of Ohio with the decisions of other United States Courts of Appeals on the same important matter. Specifically, the Court’s ruling on public or great general interest and involves a substantial constitutional question is in direct conflict with the rulings of the other states which have held contrary legal principle. This conflict warrants resolution by the Supreme Court to ensure uniformity in federal law.

The case presents a significant question of federal law that has not been, but should be, settled by this 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 effected parties and the Supreme Court's guidance is necessary to provide clarity and consistency.

The Supreme Court of Ohio’s decision represents a significant departure from the accepted and usual course of judicial proceedings. The lower court's handling of questions of laws and questions of facts deviates from established legal standards and practices, undermining the fairness and integrity of the judicial process.

The issue at hand is of exceptional public importance. The resolution of public or great general interest and involves a substantial constitutional question will have a profound

impact on the public and the Supreme Court's intervention is essential to address this critical matter.


The lower court misapplied this Court's precedents. The decision of the Supreme Court of the Ohio regarding declining to accept jurisdiction of appeal is inconsistent with the principles established by this Court, leading to an erroneous and unjust outcome.

The order of the Supreme Court of Ohio is entered in a hasty manner without any logics or reasons. Hence, the decision is not a speaking order in the eye of law and justice. Even no opportunity of hearing was given to the petitioner to produce its arguments in favor of her case.

X. Conclusion

For the foregoing reasons, Deborah A. Lonzer / Petitioner respectfully request that this Court Issue a writ of certiorari to review the decision of the Supreme Court of Ohio. So, the writ of certiorari should be granted.

DATED this 24th day of September, 2024


Deborah A. Lonzer (Petitioner)
130 Strecker Drive,
Tallmadge, Ohio 44278
Pro-Se

XI. APPENDIX

Appendix A:

Decision of the Supreme court of Ohio dated May 14, 2024 regarding declining to accept jurisdiction of the appeal is attached herewith this as **(Appendix A)**.

Appendix B:

Order of the Court of Appeals, Ninth Judicial, Summit County dated January 09, 2024 is attached herewith as **(Appendix B)**.

Appendix C:

Order of the Court of Common Pleas, Summit County, Ohio dated August 29, 2023 is attached herewith as **(Appendix C)**.

Deborah A. Lonzer (Petitioner)
130 Strecker Drive,
Tallmadge, Ohio 44278
Pro-Se

The Supreme Court of Ohio

Keybank Nat'l Assn.

Case No. 2024-0276

v.

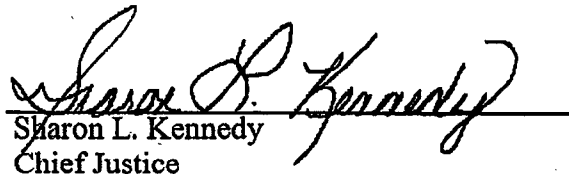
ENTRY

Deborah A. Lonzer

Upon consideration of the motion for impleading UQAKE Properties LLC as a party and the motion for leave to intervene of Nation Developers Association Trust (NDA), it is ordered by the court that the motions are denied.

It is further ordered by the court that upon consideration of the jurisdictional memoranda filed in this case, the court declines to accept jurisdiction of the appeal pursuant to S.Ct.Prac.R. 7.08(B)(4).

(Summit County Court of Appeals; No. 30846)


Sharon L. Kennedy
Chief Justice

Appendix B

STATE OF OHIO)
COUNTY OF SUMMIT)ss:

IN THE COURT OF APPEALS
NINTH JUDICIAL DISTRICT

KEYBANK NAT'L. ASSN.

C.A. No. - 30846

Appellee

v.

JOURNAL ENTRY

DEBORAH A. LONZER

Appellant

Appellee has moved this Court to dismiss appellant's appeal, arguing that the matter has been fully executed and that the appeal is moot. Appellant has responded in opposition.


As a general rule, courts will not resolve issues that are moot. *Miner v. Witt*, 82 Ohio St. 237 (1910), syllabus. "The duty of this court, as of every other judicial tribunal, is to decide actual controversies by a judgment which can be carried into effect, and not * * * to declare principles or rules of law which cannot affect the matter in issue in the case before it." *Id.*, quoting *Mills v. Green*, 159 U.S. 651, 653 (1895). In foreclosure cases, this Court has held that "as in all other civil actions, after the matter has been extinguished through satisfaction of the judgment, the individual subject matter of the case is no longer under the control of the court and the court cannot afford relief to the parties to the action." *Bankers Trust Co. of California, N.A. v. Tutin*, 9th Dist. Summit No. 24329, 2009-Ohio-1333, at ¶ 16. Specifically, the Court concluded that a foreclosure appeal is moot if the proceeds from the sale have been distributed. *Id.*; see also *Saxon Mgt Servs., Inc. v. Whitely*, 9th Dist. Summit No. 26739, 2013-Ohio-3221.

Here, appellee contends that the trial court's orders have been fully executed and, therefore, that the appeal is moot. According to appellee, "[b]oth the February 9, 2022 Judgment Entry and the June 2, 2023 Confirmation Entry have been fully executed and voluntarily satisfied [and the] subject

property has been sold to a third party, who is now in title to the same as of July 17, 2023, and KeyBank has received its share of sale proceeds resulting from the April 7, 2023 Sheriff's Sale as of August 1, 2023." Appellant has responded in opposition, stating that the appeal should not be dismissed as moot because of appellee's "multiple violations of fraud, malice intent, theft, perjury, collusion and conspiracy, unlawful entries, and unlawful claims against appellant." Because appellee has represented that full execution has occurred and appellant has not demonstrated that it has not, we conclude that the appeal must be dismissed.

The motion to dismiss is granted, and the appeal is dismissed as moot. Costs are taxed to appellant.

The clerk of courts is ordered to mail a notice of entry of this judgment to the parties and make a notation of the mailing in the docket, pursuant to App.R. 30, and to provide a certified copy of the order to the clerk of the trial court. The clerk of the trial court is ordered to provide a copy of this order to the judge who presided over the trial court action.


Judge

Concur:

Carr, J.

Flagg Lanzinger, J.

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

CASE NUMBER: CV-2019-06-2397

KEYBANK NATIONAL ASSOCIATION vs DEBORAH A LONZER

JUDGE: SUSAN BAKER ROSS

ORDER FILED: 08/28/2023

NOTICE

TO:

DEBORAH A LONZER
AKA DEBORAH A SANDERS AKA DEBORAH ANNE SANDERS
851 UTE AVE
Akron, OH 44305

You are hereby notified that the following has been filed with the Summit County Clerk of Courts Office:

DEFENDANT'S MOTION TO VACATE SHERIFF SALE AND SUBMIT TO OFFICIAL OHIO STATE TRANSFER
STATEMENT PURSUANT TO SECTION UCC 9-619. DEFENDANT'S MOTION IS DENIED. SBR

August 29, 2023

Sandra Kurt. Clerk
Summit County Clerk of Courts

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT

KEYBANK NATIONAL ASSOCIATION)	CASE NO.: CV-2019-06-2397
)	
Plaintiff)	JUDGE SUSAN BAKER ROSS
-vs-)	
)	
DEBORAH A. LONZER AKA DEBORAH)	<u>ORDER</u>
A. SANDERS, ET AL.)	
)	
Defendant)	

This matter is before the Court upon Defendant's Motion to Vacate Sheriff Sale and Submit to Official Ohio State Transfer Statement Pursuant to Section UCC 9-619. Defendant's Motion is DENIED.

IT IS SO ORDERED.



JUDGE SUSAN BAKER ROSS

CC:

ATTORNEY JOSHUA J. EPLING

ATTORNEY DEAN K. HEGYES

The Clerk of the Summit County Common Pleas Court shall serve a copy of this Order upon the following Pro Se parties, by U.S. Mail, Certificate of Service, noting return of same.

DEBORAH LONZER aka DEBORAH SANDERS, PRO SE

CMP

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Deborah A. Lonzer PETITIONER
(Your Name)

VS.

Key Bank National Association RESPONDENT(S)
90 Reimer Law Co.

PROOF OF SERVICE

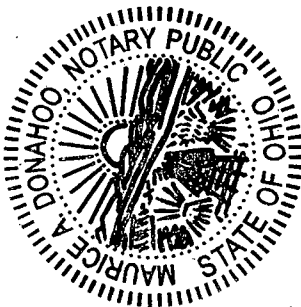
I, Deborah A. Lonzer, do swear or declare that on this date, Oct 9, 2024, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Key Bank National Association
Reimer Law Co.
31500 Bainbridge Rd
Solon OH 44139

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 9th, 2024



Deborah A. Lonzer
(Signature)