

No. 17-8072

IN THE
SUPREME COURT OF THE UNITED STATES

ELLA N. LIGGINS, — Petitioner

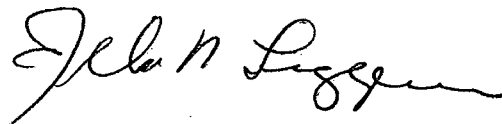
VS.

JP MORGAN CHASE BANK, NA, — Respondent

ON PETITION FOR WRIT OF CERTIORARI TO
COURT OF APPEALS OF OHIO TENTH APPELLANT DISTRICT

PETITION FOR WRIT OF CERTIORARI

PETITION FOR REHEARING



Ella N. Liggins
683 South Kellner Road
Columbus, Ohio 43209
614-329-2860

No. 17-8072

IN THE
SUPREME COURT OF THE UNITED STATES

ELLA N. LIGGINS, — Petitioner

VS.

JP MORGAN CHASE BANK, NA, — Respondent

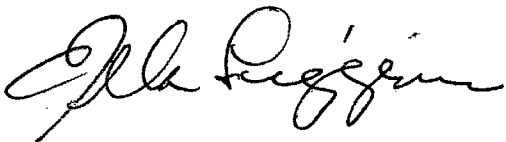
ON PETITION FOR WRIT OF CERTIORARI TO
COURT OF APPEALS OF OHIO TENTH APPELLANT DISTRICT

PETITION FOR WRIT OF CERTIORARI

PETITION FOR REHEARING

CERTIFICATE OF COUNSEL

I hereby certify that this petition for rehearing covers grounds specified in Rule 44.2 and is
presented in good faith and not for delay.

A handwritten signature in cursive script, appearing to read 'Ella Liggins', written in black ink.

Ella Liggins

PETITION FOR REHEARING

In accordance with Supreme Court Rule 44.2, Ella Liggins respectfully petitions for rehearing of the Court's decision issued May 14, 2018, which denied the petition for a writ of certiorari in this action and moves this Court grant this petition for rehearing. I respectfully submit that the issues raised in my petition for certiorari warrant rehearing, especially the constitutional rights that I have been denied, the fabricated evidence and testimony which show "Fraud upon the Court."

REASONS FOR GRANTING THE PETITION

The Fifth and 14th Amendments to the United States Constitution contain a Due Process clause which protects and guarantees those who access our courts. I have been denied those protects and guarantees. I understand those protections and guarantees are in part:

1. An unbiased tribunal.
2. Notice of the proposed action and the grounds asserted for it.
3. Opportunity to present reasons why the proposed action should not be taken.
4. The right to present evidence, including the right to call witnesses.
5. The right to know opposing evidence.
6. The right to cross-examine adverse witnesses.
7. A decision based exclusively on the evidence presented.
8. Opportunity to be represented by counsel.
9. Requirement that the tribunal prepare a record of the evidence presented.
10. Requirement that the tribunal prepare written findings of fact and reasons for its decision.

Did not the Court err when it made decisions without access to all of the evidence presented; did not the Court err when it applied the law without access to the evidence presented by the participants; did not the Court err and violate Due Process when it denied my motion for a hearing to learn what opposing evidence was missing or corrupt, thereby preventing me from presenting a defense which violates my right to Due Process?

On April 02, 2015, I filed an Appeal with the Court of Appeals of Ohio Tenth Appellate

District, on April '2, 2016, Oral Argument was conducted. During oral argument both parties made the court aware, there could not have been an unbiased review or decision from the lower court because the courts record was missing all trial data, necessary for review. I requested a hearing to determine what evidence was missing or corrupt. The hearing was denied, which eliminated my right to present evidence, using the data or testimony presented to the Court.

There was evidence of "fraud upon the Court" in the missing exhibits as well as testimony presented by Chase and Learner, Sampson & Rothfuss. Chases' missing Exhibit G shows an unconscionable scheme using documents from the United States Postal Service to show compliance with the minimum condition precedent set by, 24 CFR § 201.50 (b) Lender efforts to cure the default - Notice of default and acceleration - which consists of a letter sent to the borrower as certified by the US Postal Service. This Certified US Postal Service letter must contain among other requirements the following, but did not:

- (1) A description of the obligation or security interest held by the lender;
- (2) A statement of the nature of the default and of the amount due to the lender as unpaid principal and earned interest on the note as of the date 30 days from the date of the notice;
- (3) A demand upon the borrower either to cure the default (by bringing the loan current or by refinancing the loan) or to agree to a modification agreement or a repayment plan, by not later than the date 30 days from the date of the notice;
- (4) A statement that if the borrower fails either to cure the default or to agree to a modification agreement or a repayment plan by the date 30 days from the date of the notice, then, as of the date 30 days from the date of the notice, the maturity of the loan is accelerated and full payment of all amounts due under the loan is required;
- (5) A statement that if the default persists the lender will report the default to an appropriate credit reporting agency; and
- (6) Any other requirements prescribed by the Secretary.

Ohio courts have found that mortgage companies must comply with HUD requirements of notification before initiating foreclosure, 24 C.F.R. §203.604, *Washington Mut. Bank v. Mahaffey* 154 Ohio App.3d 44, 2003-Ohio-4422. None of the postal documents contain my name or address yet are purported to show I refused a Certified notification letter from Chase. When in fact the postal

service document identifies an item delivered to a Chase location and signed for by a Chase employee. The missing Exhibit G also contains other fraudulent documents, used in their scheme.

The Court abused its discretion, when it failed to conduct a hearing to determine what data was missing yet made conclusions and decisions, without reviewing those missing records. *Knauer v. Keener* (2001), 143 Ohio App. 3d789, 793, 758 N.E.2d 1234; *Desantis v. Soller* (1990), 70 Ohio App.3d 226, 233, 590 N.E.2d 886.

CONCLUSION

Fabricated and hidden evidence, as well as misleading testimony are violations of our Constitution and should not be used in a Court of Law, for the foregoing reasons, I ask this Court to grant the petition for rehearing; vacate the order denying the writ of certiorari; grant the writ of certiorari for briefing; or vacate the judgement below and remand this case to the lower court.

Respectfully submitted,



Ella N. Liggins, pro se

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed on June

29, 2018 by U.S. Mail to:

Learner, Sampson & Rothfuss
P.O. Box 5480
Cincinnati, OH 45201-5480
614-241-3100

