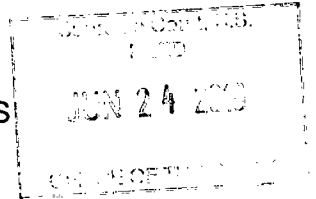


18-9833 ORIGINAL  
No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES



SADE MONE — PETITIONER  
(Your Name)

vs.

THE UNITED STATES — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Federal Circuit  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

SADE MONE  
(Your Name)

PO Box 30188  
(Address)

Savannah, GA 31410  
(City, State, Zip Code)

(310) 999-8030  
(Phone Number)

## QUESTION(S) PRESENTED

The United States Court of Federal Claims has jurisdiction over a wide range of claims against the government including but not limited to, contract disputes. When more than \$10,000 is claimed, the Court of Federal Claims possesses exclusive jurisdiction in these cases pursuant to the Tucker Act, 28 U.S.C § 1491. Under the “Little Tucker Act,” 28 U.S.C. § 1346, the district courts possess concurrent jurisdiction with the Court of Federal Claims to entertain any monetary claim against the United States for an amount not exceeding \$10,000 “founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages not sounding in tort.”

Does the United States Court of Federal Claims have jurisdiction over cases against the United States based on an implied contract with an executive department of the federal government? Should the United States be held accountable when violating the Constitution and its own federal regulations?

## LIST OF PARTIES

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

## RELATED CASES

- Mone v. United States, No. 17-1819C, U.S. Court of Federal Claims. Judgement entered May 26, 2018.
- Mone v. United States, No. 2018-2208, U.S. Court of Appeals for the Federal Circuit. Judgement entered March 26, 2019.

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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 A to the petition and is

reported at MAY 17, 2019; 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 \_\_\_\_\_ 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 MARCH 26, 2019.

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 \_\_\_\_\_. A copy of that decision appears at Appendix \_\_\_\_\_.

A timely petition for rehearing was thereafter denied 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. § 1257(a).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

### **A. Title 24 of the Code of Federal Development**

CFR Title 24-Housing and Urban Development, as one of the fifty titles comprising the United States Code of Federal Regulations contains the principal set of rules and regulations in which Public Housing must abide by. Specifically, 24 CFR 966.4 Lease Requirements (e)(1)(2)(3)(5) with regards to the dwelling unit be maintained in a "decent, safe, and sanitary condition"; make necessary repairs to the dwelling unit; maintain in good and safe working order and condition electrical, plumbing, sanitary, heating, ventilating, and other facilities and appliances, including elevators, supplied or required to be supplied by the PHA.

### **B. Fifth Amendment Right to Due Process**

The Fifth Amendment to the Constitution states no person shall "be deprived of life, liberty, or property without due process of law.

## **STATEMENT OF THE CASE**

The Plaintiff was on the receiving end of deplorable living conditions at the hands of the Charleston Housing Authority(CHA) that is regulated and funded by Housing and Urban Development(HUD). The conditions included black toxic mold throughout the unit; cracks and holes throughout the unit, mold around stove and hot water heater misaligned/separated which prevented the power from being turned on. The aforementioned living conditions have left the Plaintiff permanently disabled with a multitude of illnesses and multiple hospitalizations. Aside from this, Plaintiff was also harassed by other tenants at the encouragement CHA personnel, including City of Charleston police officers that were employed by CHA. Plaintiff was bombarded by meritless eviction filings that failed to hold up in court. When Plaintiff's mother, who was a member on the lease agreement, filed a restraining order against the property manager, the hearing date was moved up without her knowledge and thus was dismissed. The Disposition read Restraining Order and Application for Ejectment, as though a Plaintiff would apply to eject oneself. Two letters were sent to HUD offices as formal complaints. The first letter, dated June 19, 2010 was addressed to the Field Office Director in Columbia, SC. The second letter, dated September 13, 2012 was addressed to the Regional Administrator in the Atlanta Regional Office. Neither letter garnered a response. However, HUD inspectors continued to inspect the unit annually and falsify inspections to pass it with flying colors in spite of horrific conditions and CHA conducting its own inspection detailing the clear atrocities. On November 16, 2011 Plaintiff was illegally evicted from the unit.

The United States Court of Federal Claims argued that it lacked jurisdiction to here case and dismissed the claim. The United States Court of Appeals for the Federal Circuit affirmed the decision claiming lack of jurisdiction and not claiming an implied contract with the government.

The arguments by both courts are erroneous, as based on the requirements of the Tucker Act jurisdiction. The Plaintiff's attached Motion of Opposition filed in the U.S. Court of Federal Claims shows that the Plaintiff did indeed state there was an implied contract between Plaintiff and the Federal Government and went so far as to attach a copy of the lease agreement as evidence. By HUD refusing to acknowledge Plaintiff's written formal complaints and passing inspections that should have failed that ultimately led to Plaintiff's eviction, HUD became in violation of Plaintiff's Fifth Amendment Rights.

## **REASONS FOR GRANTING THE PETITION**

There are approximately 1.3 million units of occupied public housing managed by some 3,400 public housing authorities (PHAs) with over 2 million people throughout the country. This case presents a question of exceptional importance warranting the Courts immediate resolution. This case raises the vital importance of the governments' adherence to its own regulations, complying with Constitutional rights and its implied contracts. Should the government not be held accountable by its actions, millions of vulnerable lives will continue to be at stake.

**CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

*Sade More* \_\_\_\_\_

Date: JUNE 20, 2019