

No. 24-6750

In the Supreme Court of the United States

TROY RAMBARANSINGH,
Petitioner,

v.

BANK OF AMERICA, N.A., ETC.,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE STATE OF FLORIDA
FIFTH DISTRICT COURT OF APPEAL

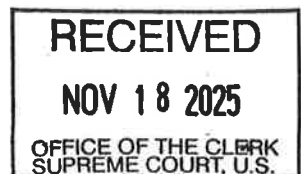
PETITION FOR REHEARING

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Pro Se Petitioner

Thirtieth day of October, MMXXV

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Pursuant to S. Ct. R. 44, Petitioner respectfully move for rehearing of the Court's order denying the petition for a writ of certiorari in this case. Rehearing/reconsideration is warranted due to significant overlooked factors and intervening developments and compelling constitutional questions raised by the Florida appellate courts' systemic use of Per Curiam Affirmances (PCAs), especially in foreclosure cases involving serious allegations of fraud and due process violations that underscore the exceptional importance of the questions presented:

1. Overlooked Conflicts and Constitutional Issues: In denying certiorari, the Court may have underestimated the depth of the conflicts and constitutional problems arising from Florida's appellate practices. The petition detailed how the Florida courts' routine issuance of per curiam affirmances without opinion ("PCAs") erects a unique barrier to this Court's review and leaves important federal issues unresolved. We respectfully submit that the Court's attention was not drawn to the full ramifications: litigants raising federal due process and equal protection claims (like Petitioner) are effectively denied any appellate reasoning to challenge, unlike litigants in other jurisdictions. This amounts to a state-by-state disparity in the availability of Supreme Court review of federal rights – a disparity the Court has not squarely addressed before and one crying out for guidance. Rehearing should be granted so the Court can consider this problem, which implicates **its own jurisdiction** and the uniform application of federal law.

2. Intervening Developments (2025) – Growing Recognition of the Issue: Subsequent to the cert denial (or perhaps not fully noted by the Court), there have been fresh indications of the problem’s urgency. In May 2025, the Florida Bar Journal published a feature article, *“Is the PCA Constitutional?”*, directly questioning the validity of decisions without opinions in light of originalist interpretations of Florida’s constitution. In June 2025, Florida’s First District Court of Appeal, in **Anderson v. State**, openly criticized procedural practices that “close their eyes” to appellate jurisdiction and leave issues unreviewed. Moreover, an increasing number of Florida litigants (across several DCAs) have filed briefs and motions echoing Petitioner’s due process concerns about PCAs and lack of appellate guidance. This emerging consensus among commentators and jurists was not fully formed at the time of Petitioner’s initial filing and underscores that the issue is not isolated to Petitioner alone. Rather, it is part of a **broader pattern coming to the forefront in late 2024 and 2025**. Under Rule 44, this kind of significant post-denial development – illuminating the importance of the question presented – justifies rehearing so that the Court can reassess the petition in light of a clearer factual and legal context.

3. Misapprehension of Vehicle Suitability: The Court’s denial may have been influenced by a belief that the case was a poor vehicle (perhaps due to procedural posture or state-law grounds). Petitioner respectfully suggests this was a misapprehension. The record below cleanly presents the federal constitutional issues: Petitioner’s appeal

was summarily affirmed with a PCA despite substantial claims, and Florida's highest court was jurisdictionally barred from review. The fraud upon the court claim – implicating judicial integrity – was disposed of on procedural grounds (res judicata and timing) without a hearing, directly raising the due process issue. And the foreclosure-related claim was rejected in a manner that exemplifies the Article 3 vs Article 9 problem (the trial court explicitly held Petitioner lacked standing to contest enforcement by a mere holder, a ruling left intact by the PCA). There are no messy factual disputes obscuring the constitutional questions, nor any alternative grounds that could independently support the judgment. In short, **this case squarely and cleanly tees up the questions** of: (a) whether Florida's practice of issuing PCA decisions with no opinion in cases raising constitutional claims violates due process or equal protection, and (b) whether barring an independent action for fraud on the court (especially fraud by officers of the court) on grounds of finality violates fundamental fairness and the integrity of the judiciary. Given that clarity, rehearing is appropriate to correct any misapprehension that the petition was interlocutory, fact-bound, or otherwise unsuitable.

4. Exceptional Importance and Recurring Nature: Even if the Court was aware of the issues, we urge reconsideration because of their exceptional importance. The interplay between state procedural practices and litigants' federal rights is a matter of national significance, particularly as it affects this Court's own oversight role. Florida is the third most populous state, and its PCA practice (thousands of

cases each year) potentially affects a vast number of litigants – any one of whom could have a federal issue that becomes effectively unreviewable. The fraud on the court issue, likewise, has resonance beyond this case: courts across jurisdictions wrestle with balancing finality against fraud. A pronouncement from this Court on the necessity of an avenue to address fraud by court officers would provide invaluable guidance. These issues are **recurring and unlikely to disappear**; if anything, the pressures of heavy dockets mean PCAs (or similar summary dispositions) are on the rise in various courts. The consequence is an increasing class of litigants who cannot vindicate federal rights due to lack of reasoning in lower court decisions. This Court, as the ultimate guardian of federal constitutional guarantees, should not allow a procedural anomaly to become a de facto shield against constitutional review. Rehearing will permit the Court to consider granting certiorari to address and harmonize these practices with constitutional mandates.

5. **No Alternative Forum or Remedy Exists:** Petitioner emphasizes that, absent this Court's review, there is literally no other court that can address these grievances. The Florida Supreme Court has emphatically stated it cannot review PCA decisions. The issues raised (due process in state appellate procedure, the right to attack fraud-tainted judgments) are fundamentally federal or constitutional in character, placing them within this Court's purview. If the denial of certiorari stands, Petitioner – and others in his position – will have nowhere to turn. The injustices alleged (loss of home

without proper process, judgment obtained by fraud and insulated by technicalities) will remain unredressed. This stark outcome is a compelling ground for the Court to reconsider. The Court has, in past instances, granted rehearing of a cert denial when it appeared that a significant injustice would otherwise go unresolved (for example, in capital cases or cases of broad public import). While rare, such rehearings serve to reinforce the principle that the Court's doors remain open to address serious violations of rights when no one else can. Petitioner's case, we respectfully submit, falls into that category.

6. **Serious Unaddressed Issues:** The PCA was rendered despite extensive evidence of fraud on the court, fabricated loan documents, and denial of fundamental rights in the proceedings. For example, the record shows that the original foreclosure judgment was obtained using a "purportedly signed" allonge (note endorsement) that the alleged signatory later could not recall signing, indicating the document was likely fabricated. Also, despite specific requests for discovery involving proof of ownership of the note and mortgage that were court compelled multiple times, the foreclosing party was able to get to trial without furnishing those documents. Additionally, Appellant's independent action alleging this fraud upon the court (and related RICO and statutory violations) was disposed of without a trial, yet the District Court affirmed without any opinion. Disposing of such grave allegations via a one-word affirmance deprives Appellant of meaningful appellate review, raising serious due process concerns.

7. Disproportionate Use of PCAs in Foreclosure Appeals: Florida's appellate courts disproportionately resolve foreclosure appeals by PCA (no written opinion), far more than in other civil contexts, even when egregious errors are asserted. Empirical evidence shows that "the district courts resolve most cases with PCAs," and this is especially true in foreclosure matters. One appellate practitioner documented that in virtually every one of his ~36 foreclosure appeals over a decade, the District Court issued a PCA – regardless of whether the issues involved due process violations, hearsay, fraud, perjury, lack of jurisdiction, or bias. In other words, no matter how serious the error, the appeals were silently affirmed without explanation. Such routine PCA usage in foreclosure cases denies litigants the individualized, reasoned review that due process should afford.

8. PCA Decisions Thwart Florida Supreme Court Review (Due Process Gap): By issuing a PCAs, Florida Courts have effectively foreclosed any possibility of further review in the Florida Supreme Court, creating a constitutional "gap" in Appellants' right to appellate redress. The Florida Constitution limits the Supreme Court's jurisdiction to review district court decisions to those with a written component. A PCA contains no written opinion, and thus falls outside the Florida Supreme Court's review authority. This dynamic is troubling from a due process standpoint. It permits the District Courts, by choosing to issue (or not issue) an opinion, to dictate whether a litigant may access the highest state court for correction of errors.

9. PCAs Preclude Meaningful Appellate Review and Undermine Constitutional Rights:

The practice of issuing PCAs without explanation often precludes meaningful appellate review, in tension with both the Florida Constitution and the Fourteenth Amendment's Due Process Clause. Florida's constitution explicitly guarantees a right of appeal for most final orders and also provides that "the courts shall be open to every person for redress of any injury, and justice shall be administered without... denial or delay." A PCA decision, by its very nature, raises doubt whether the court truly engaged with the issues or simply "rubber-stamped" the result. The lack of any explanation in a PCA is not merely a technicality; it has real consequences for due process. It prevents the losing party from understanding the reasoning and addressing it in a motion for rehearing or further appeal.

10. Necessity of a Written Opinion to Ensure Justice: For all the reasons above, Petitioner urges that this case warrants a rehearing/reconsideration to ensure that future litigants receive due process by receiving a written opinion, however long or short it may be so that they can have access to the United States and Florida Supreme Courts to hear pertinent issues.

CONCLUSION

Petitioner does not lightly ask this Court to rehear its denial. He is cognizant of the Court's interest in finality and the exceedingly sparing use of rehearings. However, this petition presents

circumstances that fit the narrow grounds of Rule 44: critical factors were likely overlooked or misunderstood, and subsequent developments have only spotlighted the importance of the issues. Rehearing and a grant of certiorari would allow the Court to resolve persistent questions about the fairness and constitutionality of state court processes that, in practice, bar litigants from higher review and relief from fundamental injustice.

For the foregoing reasons, Petitioner respectfully requests that the Court grant this Motion for Rehearing, vacate its prior order denying certiorari, and grant the petition for writ of certiorari for full consideration on the merits.

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Dated: October 30, 2025 *Pro Se Petitioner*

**CERTIFICATION OF
UNREPRESENTED PARTY**

Pursuant to Rule 44.2, I, Troy Rambaransingh pro se Petitioner, hereby certify that the petition for rehearing is restricted to the grounds specified in Rule 44.2. I further certify that the petition for rehearing is presented in good faith and not for delay.

/s/ Troy Rambaransingh

Dated October 30, 2025



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CERTIFICATE OF COMPLIANCE

Pursuant to Supreme Court Rule 33.1(h), I certify that the petition for a writ of certiorari contains 1,775 words, excluding parts exempted by Supreme Court Rule 33.1(d).

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

Executed on November 15, 2025

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CERTIFICATE OF SERVICE

Pursuant to Supreme Court Rule 29.2, I certify that 40 copies in booklet format and 1 unbound copy of the petition for rehearing are sent to the Clerk of the United States Supreme Court through the United Parcel Service via Next Day Air postage prepaid, and was picked up by the United Parcel Service on this 15th day of November, 2025.

Second, I certify pursuant to Supreme Court Rule 29.5(c), the petition for a writ of certiorari, the accompanying appendices are served upon the counsels of record, Jack Pelzer of Greenspoon Mardner LLP, for respondent Greenspoon Mardner LLP, at jack.pelzer@gmlaw.com, Tracia J. Duthiers of Liebler, Gonzalez & Portuondo, PA, for respondent Bank of America, N.A., at TJD@lgplaw.com, DM@lgplaw.com, and jw@lgplaw.com, and Shanon J. McGinnis of Wargo French, for respondents Select

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atasmcgininis@wfslaw.com; flservice1@wfslaw.com.

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

Executed on November 15, 2025

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