

24-963

In the United States Supreme Court

Supreme Court U.S.
FILED
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Gayle George

Relator

v

US Bank National Association as legal title
trustee for Truman 2016 SC6 Title Trust

Respondent.

Case: 24-6846

**Application for Emergency Injunctive Relief to
Chief Justice John Roberts**

APPLICATION FOR EMERGENCY INJUNCTIVE RELIEF

COMES NOW, Gayle George, "Relator" with this for application for emergency injunctive relief to stay the enforcement of the judgment for possession for which Relator has sought review by writ of certiorari now pending before the US Supreme Court's and states in support:

1. On March 5, 2025, Respondent caused armed US Marshals to forcibly remove Relator from her family home and private shelter of 18 years without notice.
2. Respondent leveraged an "unlawful" order issued at an "ex-parte proof" hearing conducted by an unnamed "Associate Judge Judge" after notice of a disqualification by law due to judicial disability, bias, and a blatant conflict of interest pursuant to 28 U.S. Code § 455 was placed on the docket by the senior judge of DC Superior Court.
3. This hearing would have violated DC Code § 2-509 on contested cases and 18 U.S. Code § 3771 on crime victims' rights *if* the court reporter had not affirmed *it never took place*.
4. The DC Court of Appeals rejected Relator's petition for judicial review of this same order.
5. This action has left Relator and her family exposed and endangered daily without basic shelter, community, the consortium of family or life-sustain services, fourth amendment constitutional protections against unreasonable search and seizure, or adequate remedy at law to redress her grievances.

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6. The relief sought is not available to Relator from another court because both the DC Court of Appeals and the DC Superior Court have denied numerous petitions for relief and reconsideration, most recently less than 24 hours after Respondent filed an opposition.
7. Since precedent DC Court of Appeals rulings identify even the threat of such displacement as irreparable injury,¹ these consistent denials constitute an intention to ensure substantial material harm as retaliation for Relator's campaign to expose the fraud inherent in "home equity theft" schemes that are regularly carried out in the District of Columbia despite being deemed unconstitutional by unanimous Supreme Court decision.²
8. The record reveals a coordinated determination among DC Courts to facilitate the speedy execution of clearly void judgments for which Relator is seeking review by any means necessary. Among others, these biased, unusual, and even unlawful actions include:
 - a. affirming the judgment two days before the US Marshals' forcible entry while other decisions in the case and its precedent action remain on appeal;
 - b. denying all petitions for stay and injunctive relief without relevant findings of fact or conclusions of law while the 28 USC §2101(f) time frame remains unexpired;
 - c. granting leave of court four times over two years to facilitate the issuance of a writ on a judgment that expired by law in April of 2023;
 - d. changing the case caption despite contrary sworn testimony entered into evidence;
 - e. awarding default judgments to counsel unauthorized to appear on behalf of a corporation in the District of Columbia due to an inactive bar license;
 - f. not requiring appearing counsel to provide proof of the authorities allegedly delegated by board level decision to litigate on behalf of a banking conglomerate;

¹ "The upheaval of the tenant from his home, even if he can find alternative housing, creates a cognizable irreparable injury." *Akassy v. William Penn Apartments A.2d Page* (D.C. 2006)

² *Tyler v. Hennepin County, Minnesota*, 598 U.S. 631, 143 S. CT. 1369 (2023)

- g. denying motions for judicial disqualification in the absence of such motion.
9. “A protective order is an equitable remedy... intended to preserve the status quo until the merits determination, with the view toward “maintain[ing] the proper balance, pendente lite...” Davis v. Rental Assocs., Inc., 456 A.2d at 829
10. “To prevail on a motion for stay, a movant must show that he or she is likely to succeed on the merits, that irreparable injury will result if the stay is denied, that opposing parties will not be harmed by a stay, and that the public interest favors granting of a stay.” Antioch, 418 A.2d 105, 109 (D.C. 1980).

SUCCESS ON THE MERITS

11. On March 25, 2025, the Supreme Court docketed Relator’s petitions for a writ of certiorari to review legal and procedural errors in the lower court’s judgement for possession which was affirmed by the DC Court of Appeals with responses due April 24, 2025.
12. Appellant expects to succeed on the merits for the following additional reasons:
- a. The Superior Court of the District of Columbia lacks subject matter jurisdiction to enter judgments for possession on private, non-commercial, non industrial, non-agricultural, and non-income-producing property that lies outside the public and commercial jurisdiction to which Congress, which retains ultimate legislative authority over the District of Columbia, is limited under Article 1, Section 8 of the Constitution.³
 - b. The enumerated powers of Congress limit the jurisdiction of the Superior Court of the District of Columbia to public or commercial disputes brought “in the District of Columbia”⁴ statutorily defined in DC Code § 47–2201.

³ District of Columbia Self-Government and Governmental Reorganization (Home Rule) Act of 1973.

⁴ § 47–2201. Definitions. (d) “ In the District” and “within the District” mean within the exterior limits of the District of Columbia and include all territory within such limits owned by the United States of America.

- c. The record reflects Relator's home does not qualify for adjudication under this court's jurisdiction where commercial statutes were misapplied to private property as a cloak for fraud to render void judgments.⁵
- d. The record is absent admissible evidence that Respondent had proper standing to even initiate this claim at the lower court level which a closer review of the record in this and related cases will clearly reveal.
- e. Respondent initiated this action under estates-at-will section § 42-522 in title 42 of the District's *commercial* Real Property codes absent express contract, evidence of any lessee-lessor relationship, or record of any legitimate conveyance of private, non-commercial, non-industrial, or non-agricultural property.
- f. Absent such evidence, Relator never qualified as a § 42-3203. Tenancy-at will.
- g. The "ratified foreclosure" upon which Respondent's title claim relies is on appeal.⁶
- h. In addition, the court was provided with sworn fact-witness testimony from a detailed chain of title analysis which indicates all assignments, recordings, and substitutions by which Respondent claims possessory interest in the property were fraudulent, as no "true sale" of the property ever took place.
- i. The void judgment for possession was entered by default in violation of DC Code § 42-3605 which, without caveat or ambiguity, restricts the landlord tenant branch of DC Superior Court from issuing any default judgment for possession unless the property was designated a drug nuisance.

⁵ "Courts are constituted by authority and they cannot go beyond that power delegated to them. **If they act beyond that authority, and** certainly in contravention **of it, their judgements and orders are regarded as nullities; they are not voidable**, but simply void, and this even prior to reversal." WILLIAMSON v. BERRY, 8 HOW. 945, 540 12 L. Ed. 1170, 1189 (1850).

⁶ "If, at trial, the evidence indicated that the "foreclosure sale" and resulting deed were invalid, the mortgagee would not have standing to prosecute its "ejectment action." Hawkins v. LaSalle Bank, 24 So.3d at 1151

- j. The void judgment for possession was granted to Brandon Moultrie (INACTIVE #1046807) while he was allegedly litigating on behalf of US Bank with an inactive bar license thereby rendering him unauthorized to practice law in the District of Columbia pursuant to DC Court of Appeals Rule 49 and unauthorized to represent any corporation per DC Superior Court Rule 9.
 - k. In Jackson v. GMAC Mortg. Corp., Civil Action No. 12-0111-KD-B, the Supreme Court held that judgments for parties without standing/authority to appear are void.
 - l. Both the trial court and the Appellate Court were noticed of Relator's claim to superior equitable title and beneficial ownership of her private, non-commercial property through its prescriptive use as her primary shelter for the last 18 years.
 - m. Relator contends Respondent has leveraged the courts to place clouds on the title to facilitate an unconstitutional judicial taking of private property without due process as just compensation through home equity theft, title laundering, and deed fraud .
 - n. The record is clear that private, non-commercial, non industrial, non-agricultural, non-income generating property unsuitable for business use does not qualify as the type of property in which any national banking association can lawfully take interest according to the federal banking regulatory authorities.⁷
 - o. Equity regards the beneficiary as the true owner and sole benefactor in this matter.
13. The first amendment of the United States Constitution protects the people's right to redress grievances with the government whose consent gives the government its just powers.

⁷ 12 U.S.C.632, the National Bank Act of 1864, which is 12 U.S.C. 1 et seq. the Home Owners' Loan Act of 1933, which is 12 U.S.C. 1461 et seq. and title 12 of the Code of Federal Regulations, "Banks and Banking" (12 CFR 1-199).

IRREPARABLE INJURY

14. “The most important inquiry in the injunction analysis concerns irreparable injury.

Antioch, *supra*, 418 A.2d at 109. Courts have determined that displacement equates to irreparable harm if. See, e.g., *Higbee v. Starr*, 698 F.2d 945, 947 (8th Cir. 1983) (depriving someone of a place to live constitutes irreparable harm); *Vargas v. Municipal Court for Riverside Judicial Dist.*, 587 P.2d 714, 722 n.7 (Cal. 1978) (noting that displacement inevitably results in irreparable harm); *Housing Works, Inc. v. City of New York*, 680 N.Y.S.2d 487, 491 (N.Y. App. Div. 1998) (noting that potential of displacement presented irreparable harm).”

15. Irreparable injury will result if the stay is denied for the following reasons:

- a. Substantial harm can be presumed where actions of the court implicate, violate, remove, deprive or delay fundamental constitutional protections constituting significant material harm that is current, continued, ongoing and therefore irreparable by nature.
- b. The denial of due process as just compensation inherent in actions which constitute the judicial taking of private property continues unaddressed through pending and ongoing claims is not the type of injury that can be corrected or compensated later.
- c. The execution of a void judgement which sits as an illegitimate cloud on title while reviews, appeals, investigations, and pending claims to superior title remain ongoing qualifies as irreparable and material harm in both instances.
- d. As public trustees, judicial officers have a duty of care to protect the beneficiary.

- e. Petitioner is seeking protections of the court to maintain the status quo and relieve the irreparable harm enforcement of this void judgment has caused while reviews, appeals, investigations, and claims to superior equitable title remain pending.
16. “This court (DC Court of Appeals) has previously indicated that a party seeking temporary equitable relief need not show a “mathematical probability of success on the merits.” See *Antioch*, supra, 418 A.2d at 110 (citations omitted). Rather, the level of probability of success that must be demonstrated will vary according to the court’s assessment of the other factors pertinent to the analysis. See *id.* (citation omitted). Thus, “[a] stay may be granted with either a high probability of success and some injury, or vice versa.” *Cuomo v. United States Nuclear” Regulatory Comm’n*, 772 F.2d 972, 974 (D.C. Cir. 1985); see also *Antioch*, 418 A.2d at 110- 11 (suggesting that more stringent “probable success” on the merits standard had to be employed because movant had failed to show irreparable harm by clear and convincing evidence). Thus, if irreparable harm is clearly shown, the movant may prevail by demonstrating that he or she has a “substantial case on the merits.” See *Antioch*, supra, 418 A.2d at 110-11” *Akassy v. William Penn Apts. Ltd. P’Ship*, 891 A.2d 291 (D.C. 2006)

NO PREJUDICE TO OPPOSING PARTY

17. Opposing parties will not be harmed by a stay for the following reasons:
- a. Since counsel representing the alleged party of interest has failed to produce any proof of the authorities by which it allegedly represents US Bank, the court has no admissible evidence of whose interests counsel actually represents.⁸

⁸ “Agent lacking authority may be an issue of standing of the Corporate Plaintiff/Defendant to act.” *Sturdivant v. BAC Home Loans Servicing, LP* COURT OF CIVIL APPEALS OF ALABAMA Dec 16, 2011; 159 So. 3d 15 (Ala. Civ. App. 2011): “When a party “without standing” purports to commence an action, the trial court acquires no subject-matter jurisdiction.” *State v. Property at 2018 Rainbow Drive*, 740 So.2d 1025, 1028 (Ala.1999). The “issue of a lack of standing” may not be waived”, and an argument concerning standing may be asserted for the “first time” on “appeal”. *RLI Ins. Co. v. MLK Ave. Redev. Corp.*, 925 So.2d 914, 918.

- b. This requirement may not be waived by any biased judicial officer of the court as it is clearly stated in corpus juris secundum and every municipal court in the country.⁹
- c. Without the appearance of an actual party of interest, there is no way for the court to assume that a stay which maintains what has been the status quo for the last 18 years would create any prejudice to the opposing party.
- d. This private, non commercial property is unsuitable for commercial use to advance the business interests of US Bank which only took possession of the property to which it claims legal title interest through void orders and unclean hands.
- e. US Bank has access to far more resources to enforce a legitimate title claim to private property after a proper review and careful scrutiny than Relator fighting in her private capacity to maintain her home and private shelter for the last 18 years.
- f. Respondents' interests are strictly pecuniary while the public interest is served the preservation of Relator's equitable interest in her home and private shelter.
- g. Respondent's inconvenience while the court reviews the validity of judgment does not compare to the mounting and continued harm Relator suffers.
- h. Respondent will not be prejudiced by the court's extension of basic constitutional protections since Relator has no adequate remedy at law.
- i. Void judgments secured by the misapplication of statutes violate federal protections of trafficking victims under 22 U.S. Code § 7102 - (1) Abuse or Threatened Abuse of Law or Legal Process with specific provisions for redress articulated under 42 U.S. Code § 1983.

⁹ 7 C.J.S. Attorney and Client § 62 (1937): An attorney may not even appear in a cause of action without some form of authority from the party on whose behalf he appears. Lofberg v. Aetna Cas. & Sur. Co., 264 Cal. App. 2d 306, 308, 70 Cal. Rptr. 269, 270 (1968).

PUBLIC INTEREST FAVORS A STAY

18. The public interest favors the granting of a stay for the following reasons:

- a. The people of the District of Columbia suffer from a persistent housing crisis recognized by both the US Congress and the DC Council.¹⁰
- b. It is unconscionable for the court to add to this crisis while evidence of deed fraud, misapplication of statutes, judicial bias, conflicts of interest, criminal misconduct, and significant procedural errors which should have disqualified the trial court action altogether are reviewed by a court of competent jurisdiction.
- c. Any alleged contract or judgment which results in the violation of local and federal public policy pursuant to 42 U.S.C. §3531 and 42 U.S.C. §11311 could only have ever been unconscionable, unconstitutional, and therefore unenforceable.
- d. The public interest favors a stay because its absence endangers Relator and all others similarly situated under a cloud on the title and color of law for the pecuniary interest of an unauthorized party that cannot lawfully take interest in private, non-commercial property not suitable for business use.
- e. It is not in the public interest for such a scheme to defraud Relator of her equitable interest, beneficial ownership, and claims to superior title to prevail in a court system organized to "protect rights and liberties, uphold and interpret the law, and resolve disputes peacefully, fairly and effectively."
- f. Judicial integrity is a cornerstone of a fair and just legal system, involves making decisions based on law and evidence, free from bias or external influence, and upholding ethical standards to ensure public trust and confidence.

¹⁰ DC Code § 42–3405.12. Declaration of continuing housing crisis. Housing Crisis Response Act of 2023 H.R.4233; Housing is a Human Right Act of 2023,S.2701 Housing for All Act S.2701, H.R.5254); Community Housing Act of 2024. H.R.7325

- g. "The 14th amendment of the United States Constitution gives everyone a right to due process of law, which includes judgments that comply with the rules and case law." *Griffen v. Griffen*, 327 U.S. 220, 66 S. Ct. 556, 90 L. Ed. 635

CONCLUSION

WHEREAS, equity regards substance over form for people operating in their private capacity on private non-commercial property with the elements required to demonstrate the substantive basis for the relief requested in this application for emergency injunction having been met, Relator moves the court to grant an immediate stay of the judgment for which review is being sought, restore Relator's possession of her home and private shelter of 18 years to stop the infliction of further irreparable injury by Respondent, and provide all other relief deemed just and proper.

VERIFIED STATEMENT IN SUPPORT OF MOTION

Petitioner, Gayle George, declares under penalty of perjury that the foregoing is true and correct.
Executed in the District of Columbia on the 3rd day of April 2025.

By: /s/ Gayle George

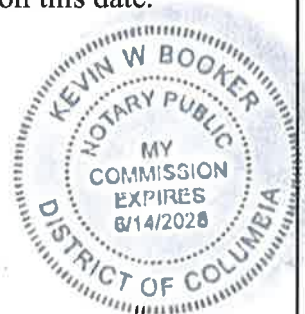
I, the undersigned, a Notary Public for the District of Columbia, hereby certify that Gayle George, personally known, acknowledged and sworn before me on this day that, being informed of the contents of this affidavit, executed the same voluntarily on this date.

Given by my hand and seal on this date:

April 3, 2025

Gayle George hereby certify that
this is a true and correct copy of the original document

District of Columbia, SS Subscribed and Sworn to before
me this 3 day of April, 2025
Kevin W Booker Notary Public, D.C.
My commission expires June 14, 2028



CERTIFICATE OF SERVICE

I certify that on this 3rd day of April 2025, service was made of a copy of the Relator's Application for Emergency Injunction was served by US Postal Service on the following parties.

Respectfully,

by:  Gayle George

cc:

Christine Johnson
6003 Executive Blvd Ste 101
Rockville, MD 20852-3813

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