No. 25-236

Supreme Court of the United States

IN RE
JUSTIN JEFFREY SAADEIN-MORALES,
Petitioner.

On petition for an extraordinary writ directed to the United States Court of Appeals for the Fourth Circuit, in aid of that court's appellate jurisdiction (28 U.S.C. § 1651(a); Sup. Ct. R. 20)

PETITION FOR AN EXTRAORDINARY WRIT OF PROHIBITION AND MANDAMUS

JUSTIN SAADEIN-MORALES,
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QUESTIONS PRESENTED

1. Whether the forcible seizure and alteration of a VA-backed home, while federal bankruptcy and appellate proceedings were pending, violated the Supremacy Clause and Due Process by nullifying the federal courts' exclusive jurisdiction over estate property, 28 U.S.C. § 1334(e)(1); 11 U.S.C. §§ 362(a), 541(a).

2. Whether courts may enforce an alleged debt, authorize eviction, or impose contempt without debt validation under federal law, including the 15 U.S.C. § 1692g, and without affording a hearing to contest it.

3. Whether a deed holder may be removed from property absent an adjudication of title or hearing in equity, and whether doing so via state summary process during active federal jurisdiction constitutes an unconstitutional taking and denial of due process.

4. Whether Article III courts violate constitutional duties by refusing to review jurisdictional defects and federal statutory violations, thereby allowing irreparable harm to proceed unchecked.

5. Whether resolving complex constitutional and statutory issues by summary procedures, without discovery, evidentiary hearing, or factual findings, violates due process.

6. Whether pro se litigants are denied the adversarial right secured by the Fifth, Sixth, and Fourteenth Amendments when dispositive orders, sanctions, and contempt issue without a meaningful opportunity to be heard and to challenge opposing claims

PARTIES TO THE PROCEEDING

PETITIONER. Justin J. Saadein-Morales, pro se.

RESPONDENTS (REAL PARTIES IN INTEREST). Westridge Swim & Racquet Club, Inc.; Richard A. Lash, in his capacity as Special Commissioner of Sale; Associa, Inc. (property manager and agent for Westridge); Navy Federal Credit Union; William G. Buck & Associates, Inc.; Buckhorn Construction, LLC.

NOMINAL STATE RESPONDENTS (OFFICIAL CAPACITIES ONLY, TO EFFECTUATE RELIEF). Circuit Court of Prince William County; General District Court of Prince William County; Jacqueline C. Smith, Clerk of the Prince William County Circuit Court; Sheriff of Prince William County.

CORPORATE DISCLOSURE STATEMENT (RULE 29.6)

Petitioner is an individual and has no parent corporation; no publicly held corporation owns 10% or more of any stock. Accordingly, no corporate disclosure is required of Petitioner.

RELATED PROCEEDINGS

U.S. Supreme Court, *In re* Saadein-Morales, No. 25A152. Order denying emergency stay entered Aug. 11, 2025.

U.S. Court of Appeals for the Fourth Circuit, No. 24-2160 (and No. 25-1229). Orders denying emergency injunctive relief and All Writs relief entered Dec. 18, 2024; May 14, 2025; May 29, 2025.

U.S. District Court, E.D. Va., No. 1:24-cv-01442-LMB-IDD. Orders entered Nov. 15, 2024; Feb. 26, 2025; Apr. 3, 2025.

U.S. Bankruptcy Court, E.D. Va. (Alexandria Div.), No. 24-11119-BFK. Orders entered Aug. 2, 2024; Aug. 23, 2024; Aug. 26, 2024.

U.S. District Court, D.D.C. No. 25-1087. Orders entered Apr. 18, 2025; July 10, 2025.

Prince William County, Virginia (G.D. & Circuit Courts) Nos. GV22010868-00; CL23005592-00/-06; CL23006736-00. Orders entered Aug. 11, 2023; Feb. 2, 2024; Feb. 16, 2024; Feb. 20, 2024; Apr. 10, 2025; May 2, 2025; June 6, 2025.

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U.S. District Court, D.D.C., Order to show cause (Fed. R. Civ. P. 4(m)), No. 25-1087, July 10, 2025. (A.12)

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JURISDICTION

This Court's authority is invoked under the All Writs Act, 28 U.S.C. § 1651(a), and Supreme Court Rule 20, in aid of its potential appellate jurisdiction under 28 U.S.C. § 1254(1). Petitioner's appeals arising from the Eastern District of Virginia remain pending in the United States Court of Appeals for the Fourth Circuit (Nos. 24-2160 and 25-1229). See App. A.2–A.4. Extraordinary relief is necessary to preserve that appellate jurisdiction and to prevent irreparable harm.

State-court possession and sale orders were executed and expanded during the federal proceedings: an eviction order issued March 4, 2025, followed by an order amending the Special Commissioner's authority on June 6, 2025, while Petitioner's federal bankruptcy appeal was being adjudicated and then appealed to the Fourth Circuit. See, e.g., App. A.5 (affirming bankruptcy order), A.14–A.21 (state orders). Interim and subsequent federal relief was denied. See App. A.1 (U.S. Supreme Court stay denial), A.2–A.4 (Fourth Circuit denials), A.6–A.7 (district-court denials).

Because no other adequate remedy exists to protect the federal courts' ability to resolve the questions presented—including the scope and effect of 28 U.S.C. § 1334(e)(1) over the debtor's property and related constitutional claims—this Court's intervention under Rule 20 is properly invoked. The petition is timely and appends the relevant orders. See App. A.1–A.27.

(Record references: Bankruptcy Case Nos. 24-10889-KHK and 24-11119-BFK; District-court appeal No. 1:24-cv-01442-LMB-IDD.)

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

CONSTITUTIONAL PROVISIONS

U.S. Const. art. III, § 1 (Judicial Power; Independent Federal Courts.)

U.S. Const. art. VI, cl. 2 (Supremacy Clause; Federal Law Controls Over State Law.)

U.S. Const. art. I, § 8, cl. 4 (Bankruptcy Clause; Uniform Bankruptcy Laws.)

U.S. Const. art. I, § 9, cl. 3 (Bills of Attainder/Ex Post Facto—Federal Prohibition.)

U.S. Const. art. I, § 10, cl. 1 (Bills of Attainder/Ex Post Facto; Contracts Clause—State Limits.)

U.S. Const. amend. V (Due Process; Takings)

U.S. Const. amend. VII (Civil Jury Trial.)

U.S. Const. amend. VI (Compulsory Process/Confrontation—Adversarial Guarantees.)

U.S. Const. amend. XIV, § 1 (Due Process; Equal Protection.)

U.S. Const. amend. X (Reserved Powers; Federalism Backdrop.)

STATUTORY PROVISIONS

28 U.S.C. § 1651(a) (All Writs Act; Supervisory/Ancillary Relief.)

28 U.S.C. § 1334(a) (Exclusive Federal Jurisdiction Over Cases Under Title 11.)

28 U.S.C. § 1334(e)(1) (Exclusive *in rem* Jurisdiction Over Property of the Estate.)

11 U.S.C. § 101 (Definitions, Incl. "Claim," "Debt.")

11 U.S.C. § 362(a) (Automatic Stay—Scope.)

11 U.S.C. § 362(c)(3) (30-Day Termination of Stay for Repeat Filers.)

11 U.S.C. § 362(d) (Relief from Stay—Grounds.)

11 U.S.C. § 541(a) (Property of the Estate—Scope.)

11 U.S.C. § 502(a) (Allowance of Claims—Claims Adjudication.)

15 U.S.C. § 1692g(b) (FDCPA—Debt Verification; Cease-Collection.)

38 U.S.C. § 3701 et seq. (VA-Backed Home Loan Program; Federal Protections.)

RULES

Fed. R. Civ. P. 56(a) (Summary Judgment—No Genuine Dispute Standard.)

Fed. R. Evid. 901(a) (Authentication—Evidence Must Be What It Claims to Be.)

STATEMENT OF THE CASE

This petition arises from the dispossession and alteration of Petitioner's VA-backed home while federal bankruptcy proceedings and live appeals were pending. State-court actions proceeded despite the automatic stay and the federal courts' exclusive in rem jurisdiction over estate property. See 11 U.S.C. § 362(a); 28 U.S.C. § 1334(e)(1).

1. Property and federal proceedings. Petitioner holds record title to a VA-backed residence. He filed Chapter 13 on May 10, 2024 (No. 24-10889-KHK), and again on June 18, 2024 (No. 24-11119-BFK), invoking the automatic stay and exclusive federal jurisdiction over estate property. See 11 U.S.C. § 362(a); 28 U.S.C. § 1334(e)(1). The bankruptcy court later determined that no automatic stay was in effect as to the debtor under § 362(c)(3) (Aug. 2, 2024) (App. A.8),

dismissed the case (Aug. 22, 2024) (*id.* A.9) and denied a stay pending appeal as moot (Aug. 23, 2024) (*id.* A.10). The district court affirmed on February 26, 2025 (No. 1:24-cv-01442-LMB-IDD) (App. A.5), denied an emergency motion on November 15, 2024 (*id.* A.6) and denied a motion for judicial notice on April 3, 2025 (*id.* A.7).

2. State-court injunctions and sale machinery. Before and during the federal posture, the state courts issued an injunction and abatement order (Mar. 1, 2023) (*id.* A.13) granted summary judgment (Feb. 16, 2024) (*id.* A.14) appointed a special commissioner and required vacation within 60 days (Feb. 16, 2024) (*id.* A.15) and awarded fees (Feb. 20, 2024) (*id.* A.16). On April 10, 2025, the circuit court denied Petitioner's emergency motion (*id.* A.19); on May 2, 2025, it enjoined Petitioner from "interfering" with the commissioner's sale efforts (*id.* A.20); and on June 6, 2025, it amended the commissioner's authority to execute sale documents as "seller" on Petitioner's behalf, while continuing the cause, confirming the absence of final adjudicative closure even as possession and control had shifted (*id.* A.21).

3. Dispossession during live federal matters. Despite the ongoing federal proceedings, Petitioner was forcibly removed on April 10, 2025, and private actors altered the premises under color of state orders. See *id.* A.19–A.21. No court ever adjudicated title in an ejectment or equitable foreclosure proceeding, and the deed remained of record in Petitioner's name.

4. Appellate posture and interim denials. The Fourth Circuit denied interim relief on December 18, 2024 (*id.* A.4), May 14, 2025 (*id.* A.3), and May 29, 2025 (*id.* A.2). The Chief Justice denied an emergency stay on August 11, 2025 (*id.* A.1). Related proceedings in D.D.C. saw a TRO denied on April 18, 2025 (*id.* A.11) and an order to show cause under Rule 4(m) on July 10, 2025 (*id.* A.12). No tribunal has provided a merits hearing on Petitioner's federal claims.

5. Limited-jurisdiction posture in limbo; enforcement continues. In the limited trial court matter, an appeal was noted but not perfected; nevertheless, the case was never remanded from circuit court back to general district court and remains in limbo between courts, even as enforcement has continued. See, e.g., *id.* A.13, A.18, A.23 (procedural posture and denial of waiver of the two-week rule).

6. Debt enforcement without validation. Petitioner timely demanded validation under the 15 U.S.C. § 1692g(b), and under state law. Nearly a year and a half later, no validation has been produced, yet collection and sale efforts proceeded.

7. Ongoing irreparable harm. Petitioner's home and possessions were taken and altered, and the property is being prepared for sale. Absent intervention, the federal appeals will be mooted by fait accompli, and the federal courts' ability to vindicate their exclusive jurisdiction and Petitioner's constitutional rights will be irreparably impaired. See 28 U.S.C. § 1334(e)(1); 11 U.S.C. §§ 362(a), 541(a).

ABSENCE OF RELIEF IN ANY OTHER FORUM

Petitioner has pursued every ordinary avenue; none can prevent the irreparable harm now underway:

1. Bankruptcy Court (E.D. Va.). Despite the automatic stay, state actions proceeded to eviction and alteration of the home. Motions to enforce federal protections were denied or not heard on a developed record. The bankruptcy court held no stay was in effect as to the debtor under § 362(c)(3) (Aug. 2, 2024) and later dismissed the case (Aug. 22, 2024) and denied a stay pending appeal as moot (Aug. 26, 2024). These orders did not address the downstream state actions' validity under 28 U.S.C. § 1334(e)(1) once federal jurisdiction attached to estate property. (A.8–A.10)

2. District Court (E.D. Va. & D.D.C.). Efforts to obtain injunctive relief or to protect federal statutory rights (11 U.S. Code § 361; 15 U.S.C. § 1692g) were denied or dismissed

without an evidentiary hearing that could halt the ongoing dispossession. The E.D. Va. district court denied emergency relief (Nov. 15, 2024), affirmed the bankruptcy court (Feb. 26, 2025), and denied judicial notice (Apr. 3, 2025). (A.5–A.7) In a related D.D.C. matter, a TRO was denied (Apr. 18, 2025) and an order to show cause issued under Rule 4(m) (July 10, 2025). (A.11–A.12)

3. Court of Appeals (Fourth Circuit). Appeals Nos. 24-2160 and 25-1229 remain pending. Emergency relief was denied on Dec. 18, 2024; May 14, 2025; and May 29, 2025. With dispossession complete and sale imminent, further delay will render the appeals meaningless through mootness by consummated transfer. (App. A.2–A.4)

4. State Courts. State courts continued to act notwithstanding ongoing federal proceedings, issuing and enforcing orders affecting possession and control of estate property without adjudicating title and without affording an adversarial hearing on federal claims. (*id.* A.13–A.21) Summary denials and procedural rulings provided no effective path to protect federal rights; exhaustion efforts in the Supreme Court of Virginia were rejected. (*id.* A.24–A.25)

5. Exceptional need for this Court's aid. Because no other tribunal has provided, or can now provide, timely and effective relief to prevent the irreversible loss of Petitioner's home and to preserve the federal courts' exclusive jurisdiction over estate property, only this Court's extraordinary intervention under 28 U.S.C. § 1651(a) can protect federal authority and avert further constitutional injury. The Chief Justice has denied interim relief. (App. A.1)

EMERGENCY GROUNDS UNDER RULE 20

This Petition presents the rare case where constitutional injury is not speculative but accomplished. Petitioner, a deed holder of a VA-backed home, has already been dispossessed under state orders entered while federal matters were live, and a Special Commissioner now wields court-conferred

authority to sell the property and execute all seller documents. (*id.* A.19–A.21) Absent immediate aid, the property will almost certainly be sold before any merits review occurs in any court. Money damages cannot restore a home, reverse physical alterations, or remedy the loss of federal jurisdiction over property of the estate.

Relief under Rule 20 and the All Writs Act, 28 U.S.C. § 1651(a), is proper because: (1) there is no other adequate means to obtain relief; (2) Petitioner's right to relief is "clear and indisputable" where exclusive bankruptcy jurisdiction and due process protections were displaced, see *Cheney* v. *U.S. Dist. Court*, 542 U.S. 367, 380–81 (2004); and (3) issuance is appropriate to preserve this Court's and the Fourth Circuit's potential jurisdiction over live federal questions, see *FTC v. Dean Foods Co.*, 384 U.S. 597, 603–05 (1966).

The equities are not close. The state-court regime has progressed from an unperfected GDC appeal that was never restored nor tried de novo, yet was treated as enforceable, to summary judgment, contempt commitments, restraints on speech and movement around the home, and commissioner-driven sale, all without an adversarial hearing on title or debt. (App. A.18–A.21, A.23–A.25)

Petitioner timely disputed and demanded validation of the claimed HOA debt after opposing counsel identified as a "debt collector." See 15 U.S.C. § 1692g(b). Eighteen months later, no validation has issued; enforcement nonetheless continued to eviction and sale steps on an unvalidated claim.

Because the harm is ongoing and accelerating, the *Nken* factors favor interim relief: (1) likely success on the dispositive jurisdictional and due process questions; (2) irreparable injury (loss of a residence and mooting of federal review); (3) the balance of equities (preserving the status quo over consummating an irreversible sale); and (4) the public interest in the supremacy of federal law and the integrity of Article III review. See *Nken v. Holder*, 556 U.S. 418, 434 (2009) (citing *Hilton v. Braunskill*, 481 U.S. 770, 776 (1987)).

WHY NO OTHER FORUM CAN PROVIDE MEANINGFUL RELIEF

State track (GDC → Circuit). Petitioner noticed, but did not perfect, an appeal from the GDC judgment. Rather than restore jurisdiction to the GDC or conduct a de novo trial in circuit court, the matter remained in procedural limbo, neither adjudicated on the merits nor jurisdictionally regularized, while courts enforced it as if final, leading to contempt, fees, eviction-adjacent orders, and a judicial-sale apparatus. (App. A.18–A.22, A.24–A.25) Extraordinary relief was denied in the Supreme Court of Virginia. (*id.* A.24–A.25) No state tribunal has afforded a merits hearing on federal defenses or title.

15 U.S.C. § 1692G validation. After a timely § 1692g(b) dispute, no validation has been provided for approximately 18 months, yet collection and enforcement continued, including dispossession and sale, on a disputed, unvalidated claim. No court has paused enforcement to require validation or held an evidentiary hearing.

Bankruptcy/federal courts. The bankruptcy court held the stay lapsed under § 362(c)(3) and dismissed the case; the district court denied emergency relief and affirmed; the Fourth Circuit denied emergency relief; and the Chief Justice denied a stay. (*id.* A.1–A.10)

None of those rulings reached the merits of the federal defenses or the Supremacy Clause conflict created by state enforcement while federal questions remained live. With the Special Commissioner empowered to execute all seller documents and the property prepared for sale, ordinary appellate review will arrive too late.

MOOTNESS, PRESERVATION, AND THE STATUS QUO ANTE

Without immediate intervention, consummation of a judicial sale will moot the federal questions in practical effect, rendering any later decision a "paper veil." See *U.S. Bancorp Mortg. Co.* v. *Bonner Mall P'ship*, 513 U.S. 18, 25 (1994). This Court's supervisory power permits targeted

orders "in aid of" jurisdiction to freeze the status quo and prevent evasion of review. See *Dean Foods*, 384 U.S. at 603–05.

Petitioner respectfully requests narrowly tailored preservation orders: (1) an immediate administrative stay of any conveyance, marketing, alteration, or removal of fixtures and chattels; (2) a direction to the Special Commissioner and any listing agent to suspend actions on the property; (3) a direction to the Prince William Circuit Court Clerk to decline recording any deed or instrument of transfer pending further order; and (4) expedited briefing on this Rule 20 petition. These measures do not resolve the merits; they ensure that a live controversy remains for this Court (or the Fourth Circuit) to decide.

PRO SE ACCESS AND THE STRUCTURAL HARM AT ISSUE

The Constitution's guarantees do not depend on representation. See *Haines* v. *Kerner*, 404 U.S. 519, 520 (1972) (per curiam). Here, timely pro se filings were disregarded; no forum required debt validation; no court provided an evidentiary hearing on title; and dispossession occurred while federal jurisdiction was invoked. The structural harm is complete: federal law was subordinated to state process, and the consequences cascade irrevocably with every day the sale machinery continues. This is the precise posture for Rule 20 relief "to prevent the destruction of the Court's prospective jurisdiction." *Dean Foods*, 384 U.S. at 604–05.

Respectfully, only this Court can prevent this case from becoming another example where constitutional promises survive only on paper while a veteran family loses its home in fact. The All Writs Act exists to ensure that does not happen

ARGUMENT

A. TITLE CANNOT BE TRESPASSED

"The denial of a deed holder's rights is a trespass *not* just against property, *but* against the entire Enlightenment concept of title, a reversion to colonial plunder." – *Petitioner*

1. Constitutional Foundation and Precedent

At the core of the Anglo-American constitutional order lies the sanctity of private property. The Fifth Amendment declares that no person shall "be deprived of ... property, without due process of law; nor shall private property be taken for public use, without just compensation."[1] This protection is not procedural alone. As this Court has noted, a "fundamental interdependence exists between the personal right to liberty and the personal right in property. Neither could have meaning without the other." *Lynch* v. *Household Fin. Corp.*, 405 U. S. 538, 552 (1972).

This principle was embedded into the Constitution to shield citizens from arbitrary seizure. The Founders' contempt for royal confiscation gave rise to a system in which title confers inviolability. The right to exclude others is a "fundamental element of the property right." *Cedar Point Nursery* v. *Hassid*, 141 S. Ct. 2063, 2072 (2021).

Modern jurisprudence affirms this inviolability. In *United States* v. *James Daniel Good Real Property*, 510 U. S. 43 (1993), this Court held that an ex parte seizure of real property violates due process, reasoning that the right to maintain control over one's home is a private interest of "historic and continuing importance." *Id.* at 53–54. Likewise, in *Fuentes* v. *Shevin*, 407 U. S. 67 (1972), the Court emphasized that even temporary dispossession without prior notice and hearing offends the Constitution. *Id.* at 85.

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[1] U.S. Const. amend. V.

2. Factual Context and Triggering Circumstance

In the present case, Petitioner held a valid record title to the property at all relevant times. That title has never been invalidated, extinguished, or transferred by any judicial decree. Yet, despite this unbroken chain of title, Petitioner was forcibly removed and locked out, with the premises then altered by unauthorized parties. (App. A.14, A.15, A.19, A.20, A.21.)

This physical appropriation occurred while federal appellate proceedings remained active and unresolved. (App. A.2, A.3, A.4, A.5, A.7, A.1.)

No court ever held an ejectment hearing. No equitable foreclosure proceeding was lawfully initiated or completed. Instead, under the guise of state-court eviction, which does not reach matters of title, private actors collaborated with local officials to seize and alter the premises without adjudicating the deedholder's rights or the property's protected status within a federal bankruptcy estate. See 11 U.S.C. § 541(a) (defining property of the estate).[2] (App. A.13, A.14, A.15, A.16, A.20, A.21.)

Petitioner was dispossessed not by law, *but* by fiat; the modern bureaucratic analog of a royal seizure. (App. A.15, A.20.)

3. Application of Principle to the Record

This is *not* a dispute about possession; it is a direct constitutional affront. A state court cannot authorize the seizure of property that is under the exclusive in rem jurisdiction of a federal bankruptcy court. 28 U.S.C. §

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[2] Any argument that this is a purely private dispute fails. The Due Process and Takings Clauses apply only to state action, a requirement met here. The dispossession was *not* accomplished through self-help *but* was executed by local officials (e.g., a sheriff) acting under the authority of a state court's writ. When private parties use the "full coercive power of the State" to seize property, the state action doctrine is satisfied. See *Lugar* v. *Edmondson Oil Co.*, 457 U. S. 922, 941 (1982).

1334(e)(1). Any state judgment, writ, or action inconsistent with that exclusive jurisdiction is "a nullity" and "void." *Kalb* v. *Feuerstein*, 308 U. S. 433, 438–39 (1940).[3] Here, the state court action was a trespass on federal authority. (App. A.8, A.5.)

Furthermore, the forcible ouster of a deed holder and subsequent alteration of the premises constitutes a classic physical taking.[4] This Court has held that "a permanent physical occupation of property is a taking." *Loretto* v. *Teleprompter Manhattan CATV Corp.*, 458 U. S. 419, 435 (1982). Such an action, executed without prior federal hearing, directly violates this Court's holdings in *Fuentes* and James Daniel Good. It also contravenes the principle of *Boddie* v. *Connecticut*, 401 U. S. 371 (1971), that access to the courts cannot be a hollow promise when fundamental property interests are at stake. *Id.* at 374. A title, once secured, cannot be displaced by expedience or assumption. (App. A.2, A.3, A.4, A.6, A.11.)

4. Consequences of Judicial Inaction

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[3] A Respondent might argue that the state court had the authority to determine its own jurisdiction. This misunderstands the effect of the automatic stay and exclusive bankruptcy jurisdiction. Actions taken in violation of the stay are *not* merely erroneous *but* are void *ab initio*. *Kalb* v. *Feuerstein*, 308 U. S. 433, 438 (1940). The state court never had the power to proceed. Unlike concurrent jurisdiction, the federal courts *in rem* jurisdiction over estate property under § 1334(e)(1) is exclusive. The state court's order was therefore a legal nullity from its inception, not a valid order subject only to state appellate review.

[4] A counterargument may be that this was a simple eviction action concerning possession, *not* a "taking" of title. This elevates form over substance. While the procedure was labeled "eviction," its result was the physical ouster of the legal title holder and appropriation of the property. The "right to exclude" is a fundamental attribute of title. See *Cedar Point Nursery*, 141 S. Ct. at 2063, 2072. When the state enforces a physical occupation against the title holder without a prior adjudication of title, it triggers a takings analysis, regardless of the procedural label.

To permit the dispossession of a lawful deed holder without prior adjudication is to open the floodgates to a modern form of legalized trespass. It would mark a regression to a time when property could be seized without process and subjects were tenants not of law, but of whim.

If this Court fails to act, it sanctions not merely a mistaken procedure, but a structural collapse of constitutional property law.[5] Title becomes meaningless. Recorded ownership becomes a mere suggestion. And the very idea of federal supremacy in protecting veterans' housing, bankruptcy estates, or deed-based ownership collapses. (App. A.1–A.7, A.8–A.10.)

This is not a technical error; it is a constitutional unraveling that threatens the "great object of the institution of civil government . . . the security of private property." *Vanhorne's Lessee* v. *Dorrance*, 2 U. S. (2 Dall.) 304, 310 (C.C.D. Pa. 1795).

B. DEBT WITHOUT PROOF

"An unvalidated debt enforced by court order is *not* justice, it is indenture, the modern ink-stamped manacle of a star chamber." – *Petitioner*

1. Constitutional Foundation and Precedent

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[5] Opponents may contend that federal courts are barred from reviewing the state court's action by the *Rooker-Feldman* doctrine. This is incorrect. The doctrine is narrow and applies only to "cases brought by state-court losers complaining of injuries caused by state-court judgments." *Exxon Mobil Corp.* v. *Saudi Basic Indus. Corp.*, 544 U. S. 280, 284 (2005). The injury here was *not* caused by a valid state court judgment, *but* by an action taken by a state court that was void for lack of jurisdiction. A void judgment cannot cause a reviewable injury under *Rooker-Feldman*; it is a legal nullity subject to collateral attack. Likewise, *Younger* abstention is inapplicable where a state court acts in an area completely preempted by Congress, such as the exclusive federal jurisdiction over a bankruptcy estate.

The Constitution protects individuals from arbitrary deprivations of property through the Due Process Clauses of the Fifth and Fourteenth Amendments. That guarantee extends beyond procedure to require a factual foundation. As this Court made clear in *Fuentes* v. *Shevin*, 407 U. S. 67 (1972), the right to notice and an opportunity to be heard "must be granted at a meaningful time and in a meaningful manner." *Id.* at 80. Enforcement without proof is not process; it is punishment.[6]

In *Turner* v. *Rogers*, 564 U. S. 431 (2011), the Court found that due process was violated when a father was jailed for nonpayment without an inquiry into his ability to pay, a core factual predicate for the sanction. *Id.* at 447–48. Even civil orders must be anchored in proof.[7]

Beyond due process, Congress codified protections against such practices in 15 U.S.C. § 1692g, which this Court recognizes as a "broad remedial statute." *Jerman v. Carlisle,*

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[6] A Respondent will likely argue that *Fuentes* v. *Shevin*, 407 U. S. 67 (1972), which involved a pre-judgment seizure ... accomplishing the same unconstitutional end condemned in *Fuentes*. This distinction is meaningless, however, when the "judgment" itself was obtained without presenting verified proof and without a real hearing on the merits. When a court issues a judgment based on a conclusory, unverified claim, the process becomes a self-fulfilling prophecy where the hollow procedure is used to legitimize the seizure, accomplishing the same unconstitutional end condemned in *Fuentes*. Procedural due process is *not* satisfied by a hollow ritual; a hearing where the plaintiff is not required to produce any actual, verified evidence of the debt is not a "meaningful" hearing.

[7] A counterargument may be that *Turner* is a narrow case applicable only to civil contempt proceedings involving an uncounseled litigant's physical liberty. This reads the case too narrowly. The broader principle of *Turner* is that the procedural safeguards required by due process correlate to the severity of the interest at stake. The Court has repeatedly recognized that the loss of a home is a uniquely severe deprivation of property. See, e.g., *James Daniel Good Real Prop.*, 510 U. S. at 43. Therefore, the core reasoning of *Turner*, that a court must ensure a factual predicate is met before imposing a severe deprivation, applies with full force when the sanction is the seizure of a person's home based on an unproven claim.

McNellie, Rini, Kramer & Ulrich LPA, 559 U. S. 573, 600 (2010). 15 U.S.C. § 1692g requires that a debt collector provide, upon written request, verification of the debt. 15 U.S.C. § 1692g(b). Until it does so, the collector must "cease collection of the debt." *Id.*[8]

2. Factual Context and Triggering Circumstance

In the present matter, Respondents initiated enforcement proceedings and ultimately executed physical seizure of the property without ever producing a validated ledger, account statement, or verified amount owed. At no point was the debt formally adjudicated.[9] To satisfy the requirement of authentication, a proponent must produce "evidence sufficient to support a finding that the item is what the proponent claims it is." Fed. R. Evid. 901(a). Unverified emails do not meet this standard. (App. A.13, A.14, A.16.)

Petitioner demanded proof under both Virginia statute and 15 U.S.C. § 1692g.[10] Those demands were ignored.

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[8] A Respondent may argue that 15 U.S.C. § 1692g does not invalidate a state court judgment but merely offers a separate cause of action for damages. This misreads the statute's plain command. Section 1692g(b) requires that a collector "shall cease collection of the debt" until validation is received. Using litigation to obtain a judgment and seize property counts as a collection activity. Continuing with it despite a validation request is a direct violation of federal law, indicating the judgment was obtained without proper legal basis and, thus, without due process.

[9] Any argument that the state court's order implicitly validated the debt and is now protected by *res judicata* must fail. Claim preclusion does not apply to issues that could not have been fully and fairly litigated. See *Kremer* v. *Chemical Constr. Corp.*, 456 U. S. 461, 481 (1982). A summary eviction proceeding often lacks jurisdiction to adjudicate complex debt counterclaims. Furthermore, a judgment obtained without affording fundamental due process, such as the right to see and challenge the evidence supporting the claim, is not the product of a "full and fair opportunity" and is not entitled to preclusive effect.

[10] An opponent might claim Petitioner waived their right to validation by failing to follow a specific state court procedure. However, a waiver of fundamental rights must be knowing and voluntary. See *D. H. Overmyer*

Instead, Respondents pursued eviction through state summary process, a forum unsuited to resolve complex debt questions.[11] Worse, they did so while federal bankruptcy proceedings were active, which would have subjected any such debt to the automatic stay and formal claims allowance procedures. See 11 U.S.C. § 362(a); *id.* § 502(b).[12] (App. A.8, A.5.)

The result: Petitioner and spouse were ejected from federally protected property, deprived of home and possessions, without any judicial finding that a valid debt existed. (App. A.15, A.20.)

3. Application of Principle to the Record

Enforcing a claimed debt without validation breaches both constitutional and statutory protections. According to

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Co. v. *Frick Co.*, 405 U. S. 174, 185 (1972). One cannot waive rights they were never properly allowed to exercise. The burden is on the party seeking to deprive another of property to provide proof, *not* on the property owner to force the creditor to follow federal law.

[11] It will be argued that the state summary process was the correct and legally sufficient forum for a possessory action. This elevates procedural form over constitutional substance. While a summary process may be appropriate for simple cases, it becomes constitutionally inadequate when used to affect a seizure based on a complex and disputed underlying debt. Due process requires a hearing "appropriate to the nature of the case." *Mullane* v. *Cent. Hanover Bank & Tr. Co.*, 339 U. S. 306, 313 (1950). Using a forum procedurally unsuited to resolve the dispositive issue (the validity of the debt) denies a meaningful opportunity to be heard before property is taken.

[12] A Respondent may argue that the automatic stay did not apply because they were not properly notified of the bankruptcy filing or that their action fell under a statutory exception. This argument fails because the automatic stay takes effect upon filing, and actions taken in violation of it are void, regardless of whether notice is given or alleged exceptions exist. See *supra* note 3. The burden is on the creditor to seek relief from the stay from the bankruptcy court before proceeding. 11 U.S.C. § 362(d). A creditor cannot unilaterally decide the stay is inapplicable and continue its state court action against property of the estate; doing so is a jurisdictional defect.

Turner, a court cannot take property from someone without first confirming the legitimacy of the underlying obligation. In this case, no state or federal court held a hearing on the amount, source, or legality of the debt. The only record shown was a single debt collection email.[13]

This failure to provide a pre-deprivation hearing is a direct violation of the principles articulated in *Fuentes*, where the Court condemned the seizure of property "without notice and without an opportunity to be heard on the underlying claim." 407 U. S. at 96. Nor did Respondents comply with their obligations under 15 U.S.C. § 1692g. Instead of ceasing collection to provide validation, they advanced directly to possession. (App. A.14–A.16, A.20.)

The principle from *Goldberg* v. *Kelly*, 397 U. S. 254 (1970), which rejected the summary removal of welfare benefits without a prior evidentiary hearing, applies with even greater force here. The private interest in retaining one's home is uniquely important; it is "the most sacred of all property." See *James Daniel Good Real Prop.*, 510 U. S. at 12. To permit its seizure based on an unverified claim is to "inflict irreparable injury" for which a later hearing "is no real remedy." *Fuentes*, 407 U. S. at 82. (App. A.15, A.20.)

4. Consequences of Judicial Inaction

Permitting seizure of property without debt validation invites systemic abuse. It legitimizes an enforcement regime closer to colonial debtors' prisons than constitutional governance, where individuals may lose their homes and

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[13] The opposing party may assert that the sufficiency of proof is a matter of state law, and the state court was satisfied with the email provided. This argument fails because state evidentiary rules must still meet the minimum requirements of federal Due Process. Due process requires a meaningful opportunity to challenge the claim. Unverified, unsubstantiated data that cannot be audited or cross-examined does not provide such an opportunity and falls short of the "rudimentary due process" required when critical property interests are at stake. *Goldberg* v. *Kelly*, 397 U. S. 254, 267 (1970).

freedom based on unverified emails and bureaucratic assertion.[14] The Founders rejected such practices. The Constitution was drafted to prevent the very kinds of informal coercion and arbitrary debt enforcement that plagued pre-revolutionary America.[15] If this Court tolerates such conduct, it sanctions a two-tier system of justice, one in which financial institutions and associations may circumvent proof, while ordinary citizens must prove their innocence to protect what is theirs.[16] The result is a dangerous erosion of due process, federal consumer

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[14] It may be argued that requiring a full evidentiary hearing on every debt claim would overwhelm state courts and that summary proceedings are necessary for judicial economy. This "floodgates" argument prioritizes efficiency over fundamental rights. The Due Process Clause requires a balancing of interests, and the minimal burden on a creditor to produce authenticated proof of a debt is insignificant compared to the catastrophic risk of a person wrongfully losing their home. See *Mathews* v. *Eldridge*, 424 U. S. 319, 335 (1976). The demand is *not* for a full trial in every case, *but* for the rudimentary constitutional requirement that a plaintiff prove its claim before the state provides a remedy.

[15] A court might argue that rectifying low evidentiary standards is a matter for state legislatures or Congress, *not* a constitutional issue for the judiciary. This deferential posture ignores the Court's role in enforcing constitutional minimums. While legislatures may provide more protection, they cannot provide less than the Due Process Clause requires. When a state's procedures create a high risk of erroneous deprivation of a core property interest, it becomes the judiciary's duty to enforce the constitutional baseline. See *Goldberg* v. *Kelly*, 397 U. S. 254 (1970).

[16] Respondents will likely dismiss the "two-tier system" claim as rhetorical hyperbole, arguing that procedural rules apply equally to all. This ignores the practical reality that due process is meant to address. When a procedure allows a well-resourced plaintiff to prevail with unverified evidence against an often pro se defendant, it creates a de facto two-tier system. The requirement that a plaintiff affirmatively prove its case with reliable evidence is a core tenet of the adversarial system designed to counteract precisely such imbalances of power and information. See *Turner*, 564 U. S. at 431 (recognizing the need for procedural safeguards in part because of the imbalance between the parties).

protection law, and the legitimacy of judicial enforcement. If debt may be enforced without proof, the courthouse becomes *not* a forum of justice, *but* a rubber stamp for private power masquerading as law.[17] (App. A.1–A.7.)

C. ONLY ARTICLE III ENSURES NEUTRALITY

"The bypassing of Article III oversight reflects *not* republican governance, *but* a ghostly echo of prerogative courts where justice was whispered in chambers and not spoken in open forum." – *Petitioner*

1. Constitutional Foundation and Precedent

Article III of the United States Constitution vests the "judicial Power of the United States" exclusively in federal courts whose judges "shall hold their Offices during good Behaviour" and whose compensation "shall not be diminished during their Continuance in Office." U.S. Const. art. III, § 1. This design was *not* ornamental; it was a structural safeguard intended to create a "bulwark" against legislative and executive encroachment and to ensure a judiciary "truly distinct from both the legislature and the executive." See The Federalist No. 78, at 466 (Alexander Hamilton) (Clinton Rossiter ed., 1961). The Framers understood that only an independent judiciary could ensure the supremacy and uniform enforcement of federal law.

Modern precedent reaffirms that only courts constituted under Article III may exercise the full scope of federal judicial power. In *Northern Pipeline Construction Co.* v. *Marathon Pipe Line Co.*, 458 U. S. 15 50 (1982), this Court

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[17] The principle of "finality of judgments" may be raised as a counterargument, suggesting that allowing such challenges would create endless litigation. However, the principle of finality presupposes a constitutionally valid judgment. A judgment rendered in violation of fundamental due process is void and *not* entitled to finality. See *World-Wide Volkswagen Corp.* v. *Woodson*, 444 U. S. 286, 291 (1980). Making finality an absolute would transform it from a pillar of the rule of law into an instrument for ratifying unconstitutional deprivations.

held that the "judicial Power of the United States must be exercised by courts having the attributes prescribed in Art. III." *Id.* at 59. The Court invalidated a grant of broad jurisdiction to non-Article III bankruptcy judges, reasoning that such power could not be vested in judges lacking life tenure and salary protection.[18] Later, in *Stern* v. *Marshall*, 564 U. S. 462 (2011), the Court reinforced this principle, holding that a bankruptcy court could not enter final judgment on a common law counterclaim, as doing so would be an unconstitutional exercise of the judicial power reserved for Article III courts. *Id.* at 503.

2. Factual Context and Triggering Circumstance

This case presents a textbook example of the dangers that arise when core federal questions, property rights arising in bankruptcy, federal debt validation, and constitutional misconduct are adjudicated or dismissed without meaningful oversight by Article III courts. Petitioner raised claims under the Bankruptcy Code, 11 U.S.C. § 101(12), 15 U.S.C. § 1692 et seq., and the Due Process Clause of the Constitution. Yet state courts assumed jurisdiction over the same subject matter while federal appeals and bankruptcy proceedings were pending. Orders were issued, evictions carried out, and contempt sanctions imposed,[19] all while

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[18] A Respondent might point out that petitioner sought protection in a non-Article III bankruptcy court. This confuses the role of the bankruptcy court. Bankruptcy judges are an adjunct of the Article III district court, which retains ultimate authority. The constitutional flaw is *not* the existence of adjuncts, *but* the failure of the entire Article III judiciary, including the district and circuit courts, to fulfill its oversight duty and protect federal jurisdiction from encroachment by state courts.

[19] It will be argued that these state court orders are entitled to Full Faith and Credit under 28 U.S.C. § 1738. This argument is misplaced. The Full Faith and Credit Act does not require federal courts to honor a state court judgment that was rendered without jurisdiction. *Underwriters Nat. Assurance Co.* v. *North Carolina Life & Accident & Health Ins. Guaranty Assn.*, 455 U. S. 691, 705 (1982). Because the state

critical constitutional and statutory questions remained under the exclusive authority of the federal judiciary. See 28 U.S.C. § 1334(a) (granting district courts exclusive jurisdiction over all cases under title 11). (App. A.14–A.16, A.15, A.17, A.20, A.21.)

Moreover, when Petitioner sought relief from the U.S. District Court and later from the Fourth Circuit, both courts declined to examine the underlying misconduct and instead issued summary dismissals. This left no neutral forum to investigate the validity of judicial acts or enforce federal rights, a vacuum that only Article III courts may constitutionally fill.[20] (App. A.6, A.5, A.7, A.3, A.2, A.4, A.11.)

3. Application of Principle to the Record

The Constitution requires that Article III courts *not* only exist in theory *but* exercise their power in practice. Where judicial misconduct is alleged and where property protected by federal law is seized, Article III courts cannot abdicate their responsibility. As Chief Justice MARSHALL declared in

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court's actions were taken in violation of the exclusive federal bankruptcy jurisdiction, its orders are void and have no preclusive effect.

[20] The lower federal courts appear to have dismissed these claims by invoking jurisdictional barriers such as the *Rooker-Feldman* doctrine or abstention doctrines like *Younger*. The lower courts misapplied both the *Rooker-Feldman* doctrine and *Younger* abstention, as neither jurisdictional bar applies to state court actions that are void *ab initio* due to the exclusive and preemptive nature of federal bankruptcy jurisdiction. See *supra* note 5. Moreover, the district court did *not* merely abstain—it expressly referred Petitioner back to state court for adjudication, despite the pendency of federal appellate proceedings and the exclusive jurisdiction of the bankruptcy court over the estate. See 28 U.S.C. § 1334(e)(1). This redirection cannot be reconciled with *Younger* abstention, which presumes the existence of a competent and adequate state forum for resolution of the federal issue. See *Younger* v. *Harris*, 401 U. S. 37, 45 (1971). *But* no such forum existed here. Congress has completely preempted state jurisdiction in matters concerning the bankruptcy estate. See *Central Virginia Cmty. Coll.* v. *Katz*, 546 U. S. 356, 363–64 (2006). Abstaining in such a case amounts *not* to judicial restraint, *but* to constitutional abdication.

Cohens v. *Virginia*, 19 U. S. (6 Wheat.) 264 (1821): "We have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the constitution." *Id.* at 404.

Despite clear evidence that state courts exceeded their jurisdiction in violation of the automatic stay, 11 U.S.C. § 362, and the jurisdictional bar of a pending appeal, see *Griggs* v. *Provident Consumer Disc. Co.*, 459 U. S. 56, 58 (1982), no Article III tribunal conducted an evidentiary hearing.[21] The very courts tasked with enforcing constitutional boundaries became passive. This is contrary to this Court's mandate in *Marbury* v. *Madison*, 5 U. S. (1 Cranch) 137 (1803), that it is "emphatically the province and duty of the judicial department to say what the law is." *Id.* at 177. It is also inconsistent with *Caperton* v. *A.T. Massey Coal Co.*, 556 U. S. 868 (2009), which affirmed that due process requires *not* merely the appearance, *but* the reality of judicial impartiality, a safeguard Article III exists to guarantee. *Id.* at 872. (App. A.5, A.6, A.7, A.3, A.2, A.4, A.1.)

4. Consequences of Judicial Inaction

If Article III courts decline to exercise their constitutional mandate, they foster the very conditions the Framers feared most: rule by politically influenced tribunals, unchecked by national law, and immune to oversight.[22] The result is *not* just a denial of justice in this case, *but* the quiet erosion of the constitutional architecture. Litigants are left without a

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[21] The argument that the state court's orders are entitled to Full Faith and Credit is misplaced, as the Act does not apply to judgments rendered without jurisdiction. See *supra* note 19. Because the state court's actions were taken in violation of the exclusive federal bankruptcy jurisdiction, its orders are void and have no preclusive effect.

[22] The argument for *Younger* abstention fails because abstention is improper where Congress has granted exclusive jurisdiction to the federal courts, as it has in bankruptcy. See *supra* note 5. The state court could not provide an adequate forum for the federal claims, rendering abstention improper.

proper forum. Misconduct persists without remedy. State courts claim powers the Constitution does not grant them, and federal courts tolerate this silently. (App. A.1–A.7, A.11–A.12.)

This is *not* federalism, it is abdication.[23] When the judiciary's enforcement mechanisms fail, the Constitution provides only one final safeguard: the supervisory power of this Court. Petitioner invokes that power now, *not* to relitigate, *but* to restore what was lost: the promise that every right has a forum, and every judge a boundary. (App. A.1.)

D. PROCESS MUST PRECEDE PUNISHMENT

"Where summary judgment replaces adversarial testing, the courtroom becomes an antechamber of punishment, a silent scaffold dressed in judicial robes." – *Petitioner*

1. Constitutional Foundation and Precedent

The Due Process Clauses of the Fifth and Fourteenth Amendments prohibit any state or federal actor from depriving a person of life, liberty, or property without "due process of law." U.S. Const. amend. V; *id.* amend. XIV, § 1. At a minimum, this requires "notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and allow them to present their objections." *Mullane* v. *Cent. Hanover Bank & Tr. Co.*, 339 U. S. 306, 314 (1950). It is a promise that process will not be a "hollow formality." See *Fuentes* v. *Shevin*, 407 U. S. 67, 80 (1972).

Due process does not tolerate judgment by assumption. In *Goldberg* v. *Kelly*, 397 U. S. 254 (1970), the Court held that a pre-deprivation hearing is required before terminating

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[23] The *Rooker-Feldman* doctrine is inapplicable. The claim is *not* that the state court erred, *but* that its act was void *ab initio* and therefore could not create a valid judgment subject to the doctrine's bar. See *supra* note 5.

essential welfare benefits, as the recipient's "brutal need" outweighs the government's interest in summary adjudication. *Id.* at 261. The procedural calculus was further defined in *Mathews*, 424 U. S. at 319, which articulated a three-factor test requiring courts to weigh (1) the private interest at stake, (2) the "risk of an erroneous deprivation . . . and the probable value, if any, of additional or substitute procedural safeguards," and (3) the government's interest. *Id.* at 335.

While summary judgment is an "integral part of the Federal Rules," its purpose is to assess whether a trial is necessary, *not* to serve as a "disfavored procedural shortcut." *Celotex Corp.* v. *Catrett*, 477 U. S. 317, 327 (1986). It is strictly limited to cases where the nonmoving party has had a full opportunity for discovery and there remains "no genuine dispute as to any material fact." Fed. R. Civ. P. 56(a).[24]

2. Factual Context and Triggering Circumstance

In this case, Petitioner raised multiple constitutional and statutory objections, challenging the validity of a debt, the legality of possession orders, and the jurisdiction of the state court. These objections involved key factual questions: Was a debt owed? Was the title lawfully extinguished? Did the HOA have standing? Did the state court have jurisdiction

[24] A Respondent might argue that the state court's procedural rulings are a matter of state law, *not* federal constitutional law. This is incorrect. While state courts interpret their own procedural rules, the application of those rules must still comply with the minimum standards of the federal Due Process Clause. A state may not, "consistently with the Fourteenth Amendment, deny to a party the right to be heard." *Brinkerhoff-Faris Trust & Sav. Co.* v. *Hill*, 281 U. S. 673, 680 (1930). When a state court applies its summary judgment rule in a manner that results in the deprivation of property without a hearing on disputed facts, it raises a federal constitutional question.

while federal appeals were pending? These are core factual disputes that prevent granting summary judgment.[25]

Despite this factual and legal complexity, the state trial court issued summary judgment orders and contempt findings without holding a single evidentiary hearing.[26] Petitioner was sanctioned, removed from their home, and imprisoned for objecting to the judgment,[27] all without the benefit of discovery, cross-examination, or judicial findings based on a complete factual record. (App. A.14, A.16, A.17, A.15, A.20.)

No adversarial hearing was held.[28] No material facts were resolved. Yet the court declared finality and imposed punishment. (App. A.14, A.17.)

3. Application of Principle to the Record

This use of summary judgment is unconstitutional. Under *Anderson* v. *Liberty Lobby, Inc.*, 477 U. S. 242 (1986), the

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[25] The argument that Petitioner failed to create a "genuine dispute of material fact" is valid only if Petitioner was first given an "adequate time for discovery." *Celotex Corp.*, 477 U. S. at 317. Granting summary judgment before discovery is complete is a perversion of the rule, especially for a pro se litigant, whose pleadings must be "liberally construed." *Haines* v. *Kerner*, 404 U. S. 519, 520 (1972).

[26] The opportunity to file written briefs did not satisfy the "opportunity to be heard." The nature of the hearing must be "appropriate to the nature of the case." *Mullane*, 339 U. S. at 313. When critical facts are in dispute, written submissions are a "wholly unsatisfactory basis for decision." *Goldberg*, 397 U. S. at 269. Due process condemns such "paper hearings" when credibility is at issue and fundamental interests are at stake.

[27] The "civil remedies" label is meaningless to the constitutional analysis. The loss of a home is a grievous deprivation of property, see *James Daniel Good Real Prop.*, 510 U. S. at 43, and incarceration for civil contempt is a deprivation of liberty. See *Turner*, 564 U. S. at 445. The label does not diminish the severity of the private interest at stake under the Mathews test.

[28] A "paper hearing" was constitutionally insufficient given the disputed facts and fundamental interests at stake. See *supra* note 26.

inquiry is "whether the evidence presents a sufficient disagreement to require submission to a jury or whether it is so one-sided that one party must prevail as a matter of law." *Id.* at 251–52. Here, the record was never developed, let alone found to be one-sided.[29] Petitioner presented substantial and unrefuted evidence of improper debt calculation, fraud on the court, jurisdictional failure, denial of jury trial, statutory violations, and unlawful *ex parte* communication, as well as ongoing federal jurisdiction, all of which warranted adversarial testing.

Instead of addressing any of the factual claims made by Petitioner, the trial court completely ignored them, showing no interest in resolving these issues.[30] In doing so, it unlawfully granted summary judgment, bypassing both the facts and the essential procedural safeguards mandated by due process. (App. A.14, A.16.)

This approach directly contradicts this Court's holding in *Turner*, 564 U. S. at 431, that courts may not impose incarceration for civil contempt without ensuring "procedural safeguards" that provide a meaningful opportunity to be heard. *Id.* at 447.[31] It also defies the foundational rule of *Fuentes*, where this Court struck down state statutes allowing the seizure of goods without a prior hearing, declaring that "no later hearing and no damage award can undo the fact that the arbitrary taking ... has already occurred." 407 U. S. at 82. (App. A.17.)

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[29] The argument that Petitioner failed to create a "genuine dispute of material fact" ignores that Petitioner was not given adequate time for discovery, a prerequisite for summary judgment. See *supra* note 25.

[30] Granting summary judgment was improper without adequate discovery. See *supra* note 25. Furthermore, due process required more than a "paper hearing" where critical facts were in dispute. See *supra* note 26.

[31] The characterization of these actions as "civil remedies" does not eliminate the need for a fair hearing, as the severity of the interests at stake, loss of a home and liberty, triggers a full due process analysis under the *Mathews* test. See *supra* note 27.

4. Consequences of Judicial Inaction

Allowing courts to impose final judgments and deprivations of liberty without adversarial process collapses the distinction between adjudication and command. As Justice DOUGLAS warned, "It is procedure that spells much of the difference between rule by law and rule by whim or caprice." *Joint Anti-Fascist Refugee Comm.* v. *McGrath*, 341 U. S. 123, 179 (1951) (Douglas, J., concurring).

Such practice is indistinguishable from the bills of attainder that the Framers abhorred and explicitly forbade. See U.S. Const. art. I, § 9, cl. 3; *id.* art. I, § 10, cl. 1. If left unchecked, it sets a dangerous precedent: that disfavored litigants may be silenced by mere procedure, declared without merit because they have not yet been heard.[32]

This Court must emphasize that due process is mandatory. When summary judgment is used to conceal unresolved questions of law and fact, particularly in cases involving property loss and incarceration, it ceases to serve justice and instead becomes a tool for silencing. (App. A.14, A.17.)

E. JUSTICE REQUIRES AN ADVERSARY

"Without the adversarial process, law becomes liturgy, and judgment, a relic of inquisitorial dogma." – *Petitioner*

1. Constitutional Foundation and Precedent

The adversarial system is *not* merely a tradition, it is a constitutional guarantee rooted in the structure of American justice. While the Constitution does *not* explicitly use the term "adversarial," its guarantees of due process, U.S. Const. amend. V; *id.* amend. XIV, § 1, compulsory process, *id.*

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[32] The argument that these are matters of state law fails. A state's application of its procedural rules must comply with the federal Due Process Clause and cannot deny a party the right to be heard. See *supra* note 24.

amend. VI, confrontation, *id.* amend. VI, and the right to a jury trial in civil cases, *id.* amend. VII, collectively enshrine the principle that truth must emerge from contested proceedings.[33] The "very premise of our adversary system . . . is that partisan advocacy on both sides of a case will best promote the ultimate objective" of justice. *Strickland* v. *Washington*, 466 U. S. 668, 686 (1984).[34]

This system ensures that no claim is accepted without the opportunity for challenge. In *Goldberg* v. *Kelly*, 397 U. S. 254 (1970), this Court emphasized that due process requires an opportunity "to be heard . . . at a meaningful time and in a meaningful manner." *Id.* at 267 (quoting *Armstrong* v. *Manzo*, 380 U. S. 545, 552 (1965)).[35]

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[33] An opposing party will likely argue that the Sixth Amendment's protections are exclusive to criminal proceedings. This misconstrues the argument. While the Sixth Amendment applies textually to "criminal prosecutions," its core principles of confrontation and the right to present a defense are fundamental elements of due process. This Court has long held that these principles are incorporated into civil proceedings through the Due Process Clauses of the Fifth and Fourteenth Amendments when significant liberty or property interests are at stake. See *Goldberg*, 397 U. S. at 269 (requiring an opportunity to "confront and cross-examine adverse witnesses" in a civil administrative hearing).

[34] A counterargument might be that *Strickland* v. *Washington*, 466 U. S. 668 (1984) is inapposite because it concerns the right to effective counsel in a criminal case. However, the underlying principle cited, that truth is best found through partisan advocacy, is the philosophical bedrock of the entire American legal system, both civil and criminal. The absence of counsel does *not* negate this principle; *rather*, it requires courts to be even more vigilant in ensuring the remaining party has a meaningful opportunity to test the opponent's case.

[35] It might be argued that *Goldberg* is limited to the termination of statutory entitlements like welfare benefits. This is incorrect. The core holding of *Goldberg* is that the extent of procedural protection required depends on the severity of the potential loss. The loss of a home is at least as grievous as the loss of welfare benefits, making the principles of Goldberg directly applicable. See *James Daniel Good Real Prop.*, 510 U. S. at 43.

In *Haines*, 404 U. S. at 519, this Court cautioned that even pro se pleadings must be "held to less stringent standards than formal pleadings drafted by lawyers," recognizing that the adversarial right does not disappear when a party is unrepresented.[36] Most significantly, in *Turner*, 564 U. S. at 431, the Court held that where a litigant's liberty is at stake in a civil contempt proceeding, due process demands "alternative procedural safeguards" that allow for a meaningful contest. *Id.* at 447-48.

2. Factual Context and Triggering Circumstance

Petitioner was denied the adversarial process at every critical juncture. Orders were issued without hearings. Debts were enforced without trial. Forged signatures appeared in the record, while the process of service was withheld by state court clerks. Near limitless threats of sanctions loomed over every attempt to seek redress. Even the highest court in the state disregarded its own precedent and statutory mandates, choosing expediency over fidelity to law. Possession was transferred, and contempt was imposed, all while Petitioner's motions, objections, and evidentiary challenges were disregarded or declared "meritless" by fiat.[37] (App. A.14–A.17, A.15, A.20, A.21, A.24–A.27.)

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[36] It may be argued that Petitioner's claims were so "frivolous" that no adversarial process was required. The standard for frivolousness is high; a claim must lack any "arguable basis either in law or in fact." *Neitzke* v. *Williams*, 490 U. S. 319, 325 (1989). A court cannot make this determination without first affording a litigant notice and an opportunity to be heard. Furthermore, the duty to liberally construe a pro se litigant's pleadings under *Haines* militates against a hasty finding of frivolousness.

[37] An opponent might attempt to frame Petitioner as a "vexatious litigant" who abused the process. However, a court may only impose such a designation after providing notice and a hearing on that specific issue. See *In re Oliver*, 333 U. S. 257, 275 (1948) ("The right to be heard...is basic in our system of jurisprudence."). A court cannot un laterally and secretly decide a litigant is "vexatious" and then use that determination as a basis for denying all future procedural rights.

When Petitioner tried to raise constitutional objections, courts declined to entertain them. Essentially, the Petitioner was subjected to a foregone conclusion, lacking a procedural way to challenge the assertions of opposing parties or the state court. As Justice FRANKFURTER warned, "the history of liberty has largely been the history of observance of procedural safeguards." *McNabb* v. *United States*, 318 U. S. 332, 347 (1943). (App. A.5–A.7, A.3–A.4, A.1, A.11–A.12.)

Petitioner was never given an equal opportunity for justice. The process became effectively *ex parte*, if not formally so. (App. A.14–A.17.)

3. Application of Principle to the Record

The record reflects *not* merely a deficient procedure *but* a complete collapse of the adversarial model. What occurred here was *not* litigation *but* pronouncement, an inquisitorial method of adjudication repugnant to the Constitution.

In *Turner*, the Court found due process violated where a father was jailed for contempt without adequate procedural safeguards to contest the claim. 564 U. S. at 449. Petitioner here was similarly silenced: contempt, property seizure, and denial of relief all occurred without the evidentiary hearings guaranteed by *Goldberg*. (App. A.17, A.14–A.16, A.15, A.20.)

This violates *not* only *Turner* and *Goldberg*, *but* the foundational precepts articulated in *Marbury* v. *Madison*, 5 U. S. (1 Cranch) 137 (1803), which affirms that "[t]he very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury." *Id.* at 163.[38] Even in civil matters, this

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[38] The relevance of *Marbury* might be questioned as concerning judicial review, *not* trial procedure. However, the right to "claim the protection of the laws" is rendered meaningless if the courthouse door is open in theory *but* the procedures within deny a litigant the tools to actually make their case. The right to an adversarial process is the essential procedural mechanism through which a citizen actually claims the law's protection. Without it, the remedy *Marbury* v. *Madison*, 5 U. S. 137 (1803) guarantees becomes illusory.

Court has consistently insisted that justice must be contested, *not* conferred. (App. A.5–A.7, A.3–A.4, A.1.)

4. Consequences of Judicial Inaction

If the adversarial right can be denied by calling a proceeding "civil," or by assuming a pro se litigant's inferiority, then the whole structure of American justice becomes dependent on power rather than principle. Such a system resembles *not* a constitutional government, *but* inquisitorial adjudication, where conclusions come before challenge and process is for appearances rather than real outcomes.[39]

The danger is systemic. If adversarial rights are reserved only for those with counsel or political favor, then the Constitution becomes discretionary, and its guarantees can be overridden by local customs, judicial preferences, or docket priorities.

This Court must reaffirm that due process does not mean "what a judge deems sufficient," but what the Constitution requires: notice, confrontation, and the right to challenge before the judgment is made.

The adversarial process is not just a formality; it is the oxygen of justice. Without it, the courtroom becomes a ritual rather than a genuine remedy.

F. FEDERAL POWER MUST REMAIN SUPREME

"To disregard the Supremacy Clause is to revive the legal alchemy of empire: where the crown claimed dominion over subject and soil alike, regardless of Parliament or principle." – *Petitioner*

1. Constitutional Foundation and Precedent

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[39] The interest in "judicial economy" can never justify the denial of fundamental due process, especially when the private interest is severe and the risk of erroneous deprivation is high. See *supra* note 14.

The Supremacy Clause, located in Article VI of the Constitution, proclaims that "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof ... shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby ...." U.S. Const. art. VI, cl. 2. This provision is *not* rhetorical flourish, it is the "keystone of the whole constitutional fabric." See *McCulloch* v. *Maryland*, 17 U. S. (4 Wheat.) 316, 350-51 (1819). It is the cornerstone of a federal union designed to subordinate local will to national law, where constitutional authority governs.[40]

From *McCulloch*, where Chief Justice MARSHALL famously declared that a state has "no power ... to retard, impede, burden, or in any manner control, the operations of the constitutional laws enacted by Congress," *id.* at 436, to *Cooper* v. *Aaron*, 358 U. S. 1 (1958), where the Court held that "no state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it," *id.* at 18, this Court has consistently affirmed that state actors are constitutionally bound to defer to federal authority.

The Supremacy Clause bars state courts from undermining federal jurisdiction or overriding federal protections. In *James* v. *City of Boise*, 577 U. S. 306 (2016) (per curiam), this Court unanimously reversed a state court

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[40] An opponent might invoke the Tenth Amendment or principles of "dual sovereignty," arguing the state was merely exercising its traditional authority over property. This argument fails. The Tenth Amendment reserves only those powers not delegated to the federal government. The power to establish "uniform Laws on the subject of Bankruptcies" is an explicit federal power. U.S. Const. art. I, § 8, cl. 4. When Congress acts within this sphere, the resulting law is supreme and cannot be impeded by state action. See *Cooper*, 358 U. S. at 18. Similarly, the "anticommandeering" doctrine, which prevents Congress from forcing states to enact or administer federal programs, is inapplicable. That doctrine does *not* authorize states to violate federal law; the Supremacy Clause itself imposes a direct, constitutional obligation on state judges to uphold federal law.

for purporting to disregard binding federal precedent, stating unequivocally that the "Supremacy Clause does not permit state courts to depart from this Court's interpretation of federal law." *Id.* at 307.[41]

2. Factual Context and Triggering Circumstance

In the case at bar, state courts and their officers actively disregarded ongoing federal proceedings, including a pending bankruptcy case under Title 11 and related appellate matters, by executing orders that nullified federal protections.[42] A writ of eviction was executed against federally protected property while the automatic stay, 11 U.S.C. § 362, remained in dispute, and while federal courts were still exercising jurisdiction over the estate, 11 U.S.C. § 541, and related claims. (App. A.8–A.10, A.6, A.5.)

Despite the invocation of federal law, notice of appeal to the Fourth Circuit, and the existence of the aforementioned statutory protections, the state courts refused pause or defer. Instead, they executed possession orders and enforced actions that violated the exclusive jurisdiction conferred on federal courts over all property of the estate "as of the

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[41] It may be argued that the state court was *not* "departing" from federal law *but* merely finding it not controlling on the specific facts. This mischaracterizes the state court's duty. The obligation to follow binding precedent is not discretionary. State courts cannot refuse to apply federal law based on their own policy preferences or disagreements with the law. See *Testa* v. *Katt*, 330 U. S. 386, 392-93 (1947). A state court's decision to proceed in the face of exclusive federal jurisdiction is *not* an act of interpretation; it is an act of defiance.

[42] It may be argued that property disputes are a matter of traditional state control. While true in general, this principle yields when a specific federal interest, grounded in a constitutional power like the Bankruptcy Clause, is at stake. The very purpose of federal bankruptcy law is to create a uniform national system that temporarily overrides ordinary state-law remedies to ensure an orderly and equitable process. Deferring to "traditional state control" in this context would defeat the purpose of the federal statutory scheme.

commencement of such case." 28 U.S.C. § 1334(e)(1). (App. A.14–A.16, A.15, A.20, A.21.)

3. Application of Principle to the Record

The state court's conduct in this case is *not* merely erroneous; it is unconstitutional. Once the federal bankruptcy petition was filed, exclusive jurisdiction over the debtor's property passed to the federal courts. Any subsequent state action impacting that property is void *ab initio*. See *Kalb*, 308 U. S. at 433 (holding that a state court is "without authority to maintain" proceedings affecting property under the bankruptcy court's jurisdiction and its orders are "a nullity").[43] (App. A.8, A.5.)

Under the clear rule of *James*, state courts do not retain discretion to ignore federal precedent. By executing eviction orders while federal questions remained under review, state actors exercised legal sovereignty the Constitution explicitly abolished. The state court's judgment was *not* merely erroneous; it was "void and subject to collateral attack." *Kalb*, 308 U. S. at 438. (App. A.15, A.20.)

The violation is compounded by the fact that the affected property is VA-backed, which invokes additional federal protections and triggers exclusive federal oversight. See 38 U.S.C. § 3701 et seq. Any state-court order that alters possession or title to such property without deferring to this comprehensive federal scheme is constitutionally defective under principles of preemption. See, e.g., *Fidelity Fed. Sav. & Loan Ass'n* v. *de la Cuesta*, 458 U. S. 141, 153 (1982).[44]

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[43] The state's contention that it was merely "interpreting" the stay is untenable. Because Congress granted federal courts exclusive jurisdiction over the bankruptcy estate, the state court lacked any power to act. Its action was *not* a mere error *but* an act taken in a field entirely preempted by federal law. See *supra* note 3.

[44] A counterargument might be that the federal VA loan scheme does not explicitly preempt state foreclosure law. This ignores the doctrine of conflict preemption. State law is preempted to the extent it "stands as an obstacle to the accomplishment and execution of the full purposes and

4. Consequences of Judicial Inaction

Permitting state courts to proceed while federal protections remain active nullifies the Supremacy Clause in function if not in text. It invites a regime in which state judges act as constitutional gatekeepers, arrogating to themselves the power to determine when and whether federal law controls. That is *not* federalism; it is fragmentation.

The Founders feared precisely this scenario. The Constitution was written *not* to accommodate local defiance, *but* to restrain it and unify the nation under a supreme law.

As Justice STORY wrote, if states could freely disregard federal authority, "the constitution would be a solemn mockery." *Martin* v. *Hunter's Lessee*, 14 U. S. (1 Wheat.) 304, 348 (1816).

This Court's intervention is not only appropriate, it is imperative.[45] The structural integrity of federal law cannot survive if state actors are free to override its authority. The Supremacy Clause was meant to prevent disunion *not* only in war, *but* in process. (App. A.1–A.7.)

CONCLUSION AND PRAYER FOR RELIEF

CONCLUSION

This Rule 20 petition satisfies the three showings required for an extraordinary writ: (1) in aid of the Court's appellate

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objectives of Congress." *Hines* v. *Davidowitz*, 312 U. S. 52, 67 (1941). The comprehensive federal regulations governing VA loan servicing are designed to protect veterans from foreclosure and create a uniform national standard. Allowing states to proceed with evictions while federal loss mitigation options are being pursued would frustrate this clear congressional purpose.

[45] The likely defense that federal courts must abstain under *Rooker-Feldman* or *Younger* fails. Both doctrines are inapplicable to a state court judgment that is void *ab initio* for lack of jurisdiction due to federal preemption. See *supra* note 5.

jurisdiction, (2) exceptional circumstances, and (3) no adequate alternative means of relief.

While federal bankruptcy and appellate proceedings were live, state orders effected dispossession and empowered a special commissioner to sell the property and execute "seller" documents, despite the district courts' exclusive in rem jurisdiction over property of the estate. 28 U.S.C. § 1334(e)(1). The result is ongoing, irreparable harm and a serious risk that the federal questions will be mooted by consummation of a sale. Under the All Writs Act, this Court may act (or direct the court of appeals to act) to maintain the status quo in aid of jurisdiction. See, e.g., *FTC v. Dean Foods Co.*, 384 U.S. 597, 603–05 (1966).

Bankruptcy exclusivity also means state actions taken in contravention of that jurisdiction are void. See *Kalb* v. *Feuerstein*, 308 U.S. 433, 438–39 (1940). Interim relief is therefore warranted to preserve federal authority and prevent further irreparable injury while the Fourth Circuit adjudicates the merits.

PRAYER FOR RELIEF

Petitioner respectfully prays that the Court:

Enter an immediate administrative stay preserving the status quo, enjoining any sale, conveyance, marketing, alteration, or removal of fixtures or chattels at the property, and directing the Clerk of the Prince William County Circuit Court not to accept for recording any deed or transfer instrument, pending further order of this Court. This relief is sought in aid of appellate jurisdiction under the All Writs Act.

Order respondents to show cause why a writ of mandamus and/or prohibition should not issue directing the United States Court of Appeals for the Fourth Circuit to provide effective interim relief preserving the federal courts' jurisdiction over estate property.

Upon return to the order to show cause, issue the writ and direct the Fourth Circuit to:

(a) enter appropriate interim injunctive relief (or direct the district court to do so) that maintains possession, control, and title status quo over the property during the pendency of the appeals; and

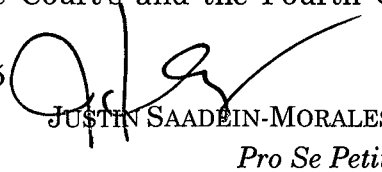
(b) expedite the consolidated appeals (Nos. 24-2160 & 25-1229).

Alternatively, vacate the lower federal courts' denials of interim relief and remand with instructions to preserve the status quo and address, on a prompt and developed record, the federal questions, including 28 U.S.C. § 1334(e)(1), 11 U.S.C. §§ 362 & 541, and due process concerns.

Enjoin respondents and those in active concert with them from taking any action that would frustrate the Court's or the Fourth Circuit's jurisdiction over the federal questions presented, including any step toward marketing, contracting for, conveying, altering, or recording instruments affecting the property, pending further order. See *Dean Foods*, 384 U.S. at 603–05.

Grant such other and further relief as may be just and appropriate in aid of the Court's and the Fourth Circuit's jurisdiction.

Dated: August 16, 2025



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No. _____

Supreme Court of the United States

IN RE
JUSTIN JEFFREY SAADEIN-MORALES,
Petitioner.

CERTIFICATION OF JURISDICTION AND EXHAUSTION

Pursuant to Rule 20.3(b), I hereby certify that relief has been sought, to the extent practicable, in the courts below, and that no other adequate remedy is available. The extraordinary relief requested herein is necessary to aid this Court's jurisdiction and to protect constitutional rights that cannot otherwise be vindicated.

Dated: August 22, 2025

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