

IN THE SUPREME COURT OF THE UNITED STATES

NO. 25-236

IN RE : JUSTIN JEFFREY SAADEIN-MORALES

Petitioner.

**MEMORANDUM IN OPPOSITION TO PETITIONER’S PETITION
FOR AN EXTRAORDINARY WRIT OF PROHIBITION AND MANDAMUS**

Respondents Westridge Swim and Racquet Club, Inc., A Community Association (“Westridge”) and Richard A. Lash, Esquire, Special Commissioner of Sale (“Mr. Lash”), by counsel, submit this Memorandum in Opposition to the Petition (“Petition”) by Justin Jeffrey Saadein-Morales (“Petitioner”) for an Extraordinary Writ of Prohibition and Mandamus, that Petitioner filed herein on August 22, 2025.

PRELIMINARY STATEMENT

The Petition is the latest in a long series of frivolous court filings by Petitioner in which he seeks to overturn final and unappealed judgments and Orders of the Circuit Court of Prince William County, Virginia (the “State Court”) for his eviction from his house and for the sale of that property (the “Property”), and to otherwise frustrate that sale and obtain relief to which he is not entitled. The State Court, the United States District Court for the Eastern District of Virginia (the “EDVA”), and the United States Fourth Circuit Court of Appeals (the “Fourth Circuit”) have all denied Petitioner’s motions seeking the same sort of relief that he seeks in his Petition, and on the same alleged grounds and authority, and it is respectfully submitted that this Court should do the same, as set forth below.

ARGUMENT

Assuming *arguendo* that this Court has jurisdiction to consider Petitioner's Petition even though Westridge and Mr. Lash (as well as most, if not all of the other named Respondents) are not citizens or residents of the District of Columbia and have not been personally served with any process concerning any claim that Petitioner has against them, the Petition should nevertheless be denied for the following reasons:

1. The linchpin of Petitioner's Petition is that the Property is still part of the Petitioner's bankruptcy estate in the bankruptcy case that he filed in the United States Bankruptcy Court for the Eastern District of Virginia, Case No. 24-11119-BFK (the "Bankruptcy Court Case"), and that this Court must now act in order to preserve the jurisdiction of that Court over the Property, as well as the jurisdiction of the EDVA and the Fourth Circuit, which heard various appeals by Petitioner concerning an August 2, 2024 Order of the Bankruptcy Court in the Bankruptcy Court Case. But that Bankruptcy Court Case was dismissed on August 26, 2024, which dismissal Petitioner failed to appeal. (A copy of that Order is attached hereto as **Exhibit A**.) Accordingly, the Property is not in Petitioner's "bankruptcy estate," and the Bankruptcy Court now has no power to deal with it.

2. Along the same lines, Petitioner in his Petition referred to his appeals in the Fourth Circuit, but the Fourth Circuit dismissed those appeals by Order dated September 29, 2025. (A copy of that Order is attached hereto as **Exhibit B**.)

3. On September 19, 2025 Petitioner filed in his Fourth Circuit appeals an Emergency Motion for Protective Direction Under the All Writs Act and for Injunctive Relief Under RFAP 8 to Prevent Disbursement of Sale Proceeds Pending Appeal (the "Emergency Motion") (copy attached hereto as **Exhibit C**), which motion sought essentially the same relief

that Petitioner seeks in his Petition to this Court, and on essentially the same grounds and alleged authority, and which motion was denied by the Fourth Circuit by Order entered September 29, 2025. (A copy of that Order is attached hereto as **Exhibit D.**) See also Westridge’s Opposition to the Emergency Motion (in which Westridge rebutted Petitioner’s claims of “lack of due process” among other things) (copy attached hereto as **Exhibit E**); Petitioner’s Reply (copy attached hereto as **Exhibit F**); and Westridge’s Motion to Strike Petitioner’s Reply (copy attached hereto as **Exhibit G**). The authority cited by Westridge in Exhibits E and G is additional support for the denial of Petitioner’s Petition.

CONCLUSION

Petitioner’s Petition (which is almost certainly AI-generated) is yet another desperate and cynical attempt by Petitioner to evade his just obligations to Westridge and his many other creditors and prevent them from obtaining the recovery to which they are entitled. For that and the foregoing reasons, Petitioner’s Petition should be denied, and Respondents Westridge and Richard A. Lash, Esquire, Special Commissioner of Sale, should be awarded such other and further relief as may be just and proper.

**WESTRIDGE SWIM AND RACQUET CLUB,
INC., A COMMUNITY ASSOCIATION**
By Counsel

BUONASSISSI, HENNING & LASH, PC

By: /s/ Richard A. Lash
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*Counsel for Appellee Westridge Swim and
Racquet Club, Inc., A Community Association*

**RICHARD A. LASH, ESQUIRE
SPECIAL COMMISSIONER OF SALE**

By: /s/ Richard A. Lash
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#4911-9076-8240

EXHIBIT A

**UNITED STATES BANKRUPTCY COURT
FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

JUSTIN JEFFREY SAADEIN-MORALES

Debtor(s)

Chapter 13

Case No. 24-11119-BFK

ORDER OF DISMISSAL

THIS MATTER CAME on for hearing on August 22, 2024 upon (1) Trustee's Motion to Dismiss (Dkt. #42) pursuant to 11 U.S.C. §109(e) and 11 U.S.C. §1307(c) and Debtor's Response (Dkt. #52) thereto; and (2) the Objections to Confirmation of the Chapter 13 Plan on behalf of the Trustee (Dkt. #41), Westridge Swim & Raquet Club, Inc. A Community Association (Dkt. #46), PNC Bank, National Association (Dkt. #29), and Navy Federal Credit Union (Dkt. #46). Trustee, counsel for Westridge Swim & Raquet Club, Inc. and PNC Bank, N.A. and Navy Federal Credit Union appeared; Debtor did not appear. It appearing to the Court, for the reasons stated on the record, that adequate cause exists and that it is in the best interest of the creditors and this estate that this proceeding be dismissed, it is

ORDERED that these proceedings under Chapter 13 of the Code be and they hereby are DISMISSED, and it is further

ORDERED that the dismissal of this case revests the property of the estate in the entity in which such property was vested immediately before the commencement of the case. The Trustee need not file a final report in this case unless property or money is administered.

Order of Dismissal, Page 2
Justin Jeffrey Saadein-Morales
Case #24-11119-BFK

ORDERED that pro se Debtor is hereby advised that he has the right to appeal this Order and that in order to do so he must file a Notice of Appeal with the Clerk of the Bankruptcy Court within 14 days of entry of this Order.

Aug 26 2024

/s/ Brian F Kenney
Brian F. Kenney
U. S. Bankruptcy Judge

I Ask For This:

Entered On Docket: August 26, 2024

/s/ Thomas P. Gorman
Thomas P. Gorman, Trustee
1414 Prince Street, Suite 202
Alexandria, VA 22314
(703) 836-2226
VSB #26421

SEEN:

/s/ Thomas Charles Junker
Thomas Charles Junker
MercerTrigiani
112 S. Alfred St.
PO Box 2470
Alexandria, VA 22314
(703) 837-5000
VSB #29928
Counsel to Westridge Swim & Raquet Club, Inc. A Community Association

SEEN:

/s/ M. Christine Maggard
M. Christine Maggard
Brock & Scott, PLLC
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Winston-Salem, NC 27103
(757) 213-2959
VSB #33824
Counsel to PNC Bank, National Association

Order of Dismissal, Page 3
Justin Jeffrey Saadein-Morales
Case #24-11119-BFK

SEEN:

/s/Mengkun Chen
Mengkun Chen
Glasser and Glasser, P.L.C.
Crown Center, Ste. 600
580 E. Main St.
Norfolk, VA 23510
(757) 625-6787
VSB #95725
Counsel to Navy Federal Credit Union

Local Rule 9022-1(C) Certification

The foregoing order was signed by and/or served upon all necessary parties pursuant to Local Rule 9022-1(C).

/s/ Thomas P. Gorman
Thomas P. Gorman, Chapter 13 Trustee

Order of Dismissal, Page 4
Justin Jeffrey Saadein-Morales
Case #24-11119-BFK

PARTIES TO RECEIVE COPIES

Justin Jeffrey Saadein-Morales
Chapter 13 Debtor
12720 Knightsbridge Drive
Woodbridge, VA 22192

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Thomas P. Gorman
Chapter 13 Trustee
1414 Prince St., Ste. 202
Alexandria, VA 22314

EXHIBIT B

FILED: September 29, 2025

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-2160 (L)
(1:24-cv-01442-LMB-IDD)

JUSTIN JEFFREY SAADEIN-MORALES

Debtor - Appellant

v.

WESTRIDGE SWIM & RACQUET CLUB, INC., A Community Association

Creditor - Appellee

No. 25-1229
(1:24-cv-01442-LMB-IDD)

JUSTIN JEFFREY SAADEIN-MORALES

Debtor - Appellant

v.

WESTRIDGE SWIM & RACQUET CLUB, INC., A Community Association

Creditor - Appellee

J U D G M E N T

In accordance with the decision of this court, this appeals are dismissed.

This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41.

/s/ NWAMAKA ANOWI, CLERK

EXHIBIT C

Nos. 24-2160 (Lead), 25-1229 (Consolidated)
In the United States Court of Appeals for the Fourth Circuit

JUSTIN JEFFREY SAADEIN-MORALES,

Plaintiff – Appellant

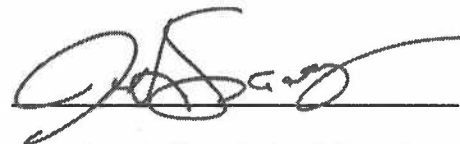
v.

WESTRIDGE SWIM AND RACQUET CLUB, INC.,
A Community Association

Defendant – Appellee

On Appeal from the U.S. District Court,
Eastern District of Virginia
No. 1:24-cv-01442-LMB-IDD

**APPELLANT’S EMERGENCY MOTION FOR PROTECTIVE DIRECTION
UNDER THE ALL WRITS ACT AND FOR INJUNCTIVE RELIEF UNDER FRAP
8 TO PREVENT DISBURSEMENT OF SALE PROCEEDS PENDING APPEAL**



Justin J. Saadein-Morales
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September 19, 2025,

Pro se

PRELIMINARY STATEMENT

A judicial sale of Appellant's home is scheduled for September 26, 2025. The proceeds of that sale now represent the res of this dispute. Absent relief, the state court has already authorized premature distribution of proceeds before deposit with the Circuit Court clerk's registry, effectively bypassing lien-priority protections.

This Court's jurisdiction will not be formally "mooted," it retains the power to reverse, but premature disbursement will create enormous remedial complications. Recovery may require appointment of a special master to trace and reclaim funds, assess contractual obligations destroyed by the distribution, and supervise equitable reallocation. The narrow relief sought here avoids that outcome by simply preserving the proceeds until appellate review is complete.

EMERGENCY CERTIFICATION (4th Cir. R. 27(f))

Pursuant to Local Rule 27(f), Appellant certifies this is a genuine emergency. The September 26 sale is imminent, and the state court has authorized distribution of proceeds before deposit with the Circuit Court clerk's registry. Once distributed, funds will be unrecoverable or dissipated, leaving no practical means to preserve this Court's appellate authority. Relief below was impracticable under FRAP 8(a)(2)(A)(i) because the district court is divested of jurisdiction. This motion

could not have been filed earlier, as the disbursement risk did not materialize until the state court's recent authorization of early distribution.

Pursuant to Local Rule 27(a), conferring with opposing counsel was not practicable due to the emergency nature of this motion. Appellant will promptly notify this Court of any correspondence received from appellee relating to the relief requested herein.

Oral argument is unnecessary; the issues are straightforward and time-sensitive.

BACKGROUND

1. Deeded ownership. Appellant and spouse remain deeded co-owners of 12720 Knightsbridge Dr., Woodbridge, VA, by General Warranty Deed (Exhibit A).

2. Encumbrances of record.

a. Navy Federal Credit Union Deed of Trust (2018)
(Exhibit B);

b. Substitution of Trustee (2022, Glasser & Glasser)
(Exhibit C);

c. Homestead Deed exemptions (2023) (Exhibit D);

d. Open-End Deed of Trust (2025, Figure Lending/DART)
(Exhibit E).

3. State-court orders. The Circuit Court entered an Order of Sale (Exhibit F) and an Order Authorizing Disbursement (Exhibit G).

4. Notice without response. Despite repeated notice, Navy Federal, Glasser & Glasser (purported substitute trustee), the U.S. Department of Veterans Affairs, and Figure Lending have not provided correspondence regarding title defense or proceeds handling.

5. Premature distribution. The disbursement order authorizes distribution of proceeds before deposit with the Circuit Court clerk's registry, bypassing lien-priority protections and extinguishing rights before appellate review.

ARGUMENT

I. Protective direction is necessary to preserve appellate jurisdiction.

Jurisdiction transferred to this Court upon filing of the notices of appeal. *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982). Distribution of proceeds before registry deposit removes the *res* from the Court's reach and disrupts lien priority, forcing the Court to consider extraordinary remedies such as appointing a special master to reconstruct and recover funds after the fact.

The All Writs Act, 28 U.S.C. § 1651(a), empowers this Court to issue orders in aid of jurisdiction. See *In re Am. Honda*

Motor Co., 315 F.3d 417, 440-41 (4th Cir. 2003) (All Writs relief proper to prevent frustration of appellate authority and not subject to the ordinary injunction test when preserving jurisdiction); *Bryan v. BellSouth Commc'ns, Inc.*, 492 F.3d 231, 239-42 (4th Cir. 2007).

A narrowly tailored order prohibiting disbursement, either before or after deposit into the registry, is the least intrusive way to protect this Court's authority and avoid remedial chaos.

II. Alternatively, Appellant satisfies the FRAP 8/Winter test.

This Court may also grant relief under FRAP 8 and *Winter v. NRDC*, 555 U.S. 7 (2008), as applied in this Circuit. See *The Real Truth About Abortion v. FEC*, 607 F.3d 355, 362 (4th Cir. 2010); *Long v. Robinson*, 432 F.2d 977, 979 (4th Cir. 1970); *League of Women Voters of N.C. v. N.C.*, 769 F.3d 224, 235-36 (4th Cir. 2014).

Likelihood of success. The sale and disbursement orders were entered after a bankruptcy petition invoked the automatic stay of 11 U.S.C. § 362, rendering them void or voidable. *Kalb v. Feuerstein*, 308 U.S. 433, 438 (1940). Appellant and spouse remain deeded owners (Exhibit A). See also *United States v. James Daniel Good Real Property*, 510 U.S. 43, 53-55 (1993).

Irreparable harm. Premature distribution alters lien priority and extinguishes rights permanently. Even if this Court

ultimately reverses, it may be forced to create ad hoc remedial processes (including appointment of a special master) to trace funds and unwind distributions – an unnecessary, irreparable burden.

Balance of equities. Holding proceeds in the registry imposes no prejudice on appellees (funds remain secure and may accrue interest) while protecting Appellant from catastrophic and irreversible harm.

Public interest. Preserving appellate jurisdiction, lien integrity, and due process protects the rule of law. See *LWVNC*, 769 F.3d at 235-36.

RELIEF REQUESTED

Appellant respectfully requests that this Court:

1. ORDER that no proceeds from the September 26, 2025, sale be disbursed, transferred, or distributed either before or after deposit with the Prince William County Circuit Court clerk's registry, pending resolution of these appeals or further order.

2. DIRECT that the proceeds remain securely deposited in the registry (or another secure depository) without disbursement.

3. AUTHORIZE Appellant to file an affidavit identifying the proceeds at issue and any attempted disbursements.

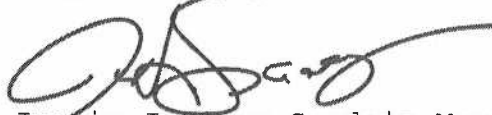
4. EXPEDITE consideration so relief may issue before September 26, 2025, and

5. Grant such other and further relief as this Court deems just and proper, including appointment of a special master if required to review and recover proceeds or resolve distribution issues.

Respectfully submitted,

September 19, 2025

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Justin Saadein-Morales', with a stylized flourish extending to the right.

Justin Jeffrey Saadein-Morales
Pro Se Appellant

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EXHIBIT INDEX TO EMERGENCY MOTION FOR PROTECTIVE DIRECTION

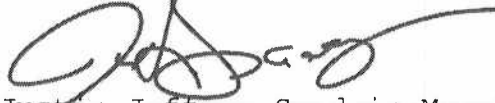
The following true and correct copies of public records and court orders are attached in support of Appellant's Emergency Motion for Protective Direction Under the All Writs Act and FRAP 8:

- Exhibit A - General Warranty Deed (Prince William County Land Records, Instrument No. 201809040065150-1).
- Exhibit B - Navy Federal Credit Union Deed of Trust (2018, Instrument No. 201809040065151-1).
- Exhibit C - Substitution of Trustee (Glasser & Glasser, 2022, Instrument No. 202203100019394-1).
- Exhibit D - Homestead Deed Exemptions (2023, Instrument No. 202303150011836-1).
- Exhibit E - Open-End Deed of Trust (Figure Lending/DART, 2025, Instrument No. 202505280029095-1).
- Exhibit F - State Court Order Approving Contract (Prince William County Circuit Court, dated September 12, 2025).
- Exhibit G - State Court Order Approving Contract (Prince William County Circuit Court, dated August 15, 2025).

Respectfully submitted,

September 19, 2025

Respectfully submitted,



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EXHIBIT D

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-2160

JUSTIN JEFFREY SAADEIN-MORALES,

Debtor - Appellant,

v.

WESTRIDGE SWIM & RACQUET CLUB, INC., A Community Association,

Creditor - Appellee.

No. 25-1229

JUSTIN JEFFREY SAADEIN-MORALES,

Debtor - Appellant,

v.

WESTRIDGE SWIM & RACQUET CLUB, INC., A Community Association,

Creditor - Appellee.

Appeals from the United States District Court for the Eastern District of Virginia, at
Alexandria. Leonie M. Brinkema, District Judge. (1:24-cv-01442-LMB-IDD)

Submitted: September 24, 2025

Decided: September 29, 2025

Before WILKINSON, AGEE and QUATTLEBAUM, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Justin Jeffrey Saadein-Morales, Appellant Pro Se. Thomas Charles Junker,
MERCERTRIGIANI, Alexandria, Virginia; Richard A. Lash, BUONASSISSI,
HENNING & LASH, PC, Reston, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated cases, Justin Jeffrey Saadein-Morales seeks to appeal the district court's orders: (1) denying his emergency motion to continue the automatic stay in bankruptcy during the pendency of his appeal and to enjoin state court proceedings (No. 24-2160); and (2) affirming the bankruptcy court's conclusion that the automatic stay had terminated by operation of law (No. 25-1229). In this court, Saadein-Morales has filed an emergency motion to enjoin the distribution of proceeds from a state court judicial sale, Appellee has moved to dismiss appeal No. 24-2160, and the parties have filed numerous other motions seeking to clarify the issues or identify alleged errors.

On August 26, 2024, the bankruptcy court dismissed the underlying bankruptcy case. Saadein-Morales has not appealed from the dismissal order, which has now become a final order. Due to the dismissal of the underlying bankruptcy case, this court "is without the power to afford effective relief." *See Cent. States, Se. & Sw. Areas Pension Fund v. Cent. Transp., Inc.*, 841 F.2d 92, 96 (4th Cir. 1988); *see In re Pruett*, 133 F.3d 275, 278 (4th Cir. 1997) ("An appeal should be dismissed as moot when, by virtue of an intervening event, a court of appeals cannot grant any effectual relief whatever in favor of the appellant." (citation modified)). Accordingly, we grant Appellee's motion to dismiss, deny Saadein-Morales' emergency motion to enjoin the distribution of sale proceeds, deny all other pending motions, and dismiss both appeals as moot. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED

EXHIBIT E

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

JUSTIN JEFFREY SAADEIN-MORALES,)
)
Appellant,)
)
v.) Nos. 24-2160 and 25-1229
) (Consolidated)
WESTRIDGE SWIM AND RACQUET)
CLUB, INC., A COMMUNITY)
ASSOCIATION,)
)
Appellee.)
)

**OPPOSITION BY DEFENDANT-APPELLEE WESTRIDGE SWIM AND
RACQUET CLUB, INC., A COMMUNITY ASSOCIATION, TO PLAINTIFF-
APPELLANT'S EMERGENCY MOTION FOR PROECTIVE DIRECTION UNDER
THE ALL WRITS ACT AND FOR INJUNCTIVE RELIEF UNDER FRAP 8 TO
PREVENT DISBURSEMENT OF SALE PROCEEDS PENDING APPEAL**

Defendant-Appellee Westridge Swim and Racquet Club, Inc., A Community Association (“Westridge”), by counsel, submits this Memorandum in Opposition to Plaintiff-Appellant’s Emergency Motion for Protective Direction Under the All Writs Act and for Injunctive Relief Under FRAP 8 to Prevent Disbursement of Sale Proceeds Pending Appeal (“Motion”) (Doc. 103).

PRELIMINARY STATEMENT

These cases involve two appeals by Mr. Saadein of two decisions by U.S. District Court Judge Leonie M. Brinkema concerning Mr. Saadein's appeal of the August 2, 2024 Order of U.S. Bankruptcy Court Judge Brian F. Kenney, granting in part Appellee Westridge's motion to lift the automatic stay in Mr. Saadein's bankruptcy case. Mr. Saadein's first appeal (Case No. 24-2160) sought the reversal of Judge Brinkema's November 15, 2024 Order denying Mr. Saadein's "Emergency Motion," and Mr. Saadein's second appeal (Case No. 25-1229), seeking reversal of

Judge Brinkema's Order of February 26, 2025, affirming Judge Kenney's August 2, 2024 Order. Despite Mr. Saadein's arguments to the contrary, neither of his two appeals herein concern the Orders of the Circuit Court for Prince William County, Virginia (the "State Court") for Mr. Saadein's eviction from 12720 Knightsbridge Drive, Woodbridge, VA 22192 (the "Property"), its impending sale, or the disbursement of the proceeds of that sale because, among other things, the Property is not part of Mr. Saadein's "bankruptcy estate," nor is the automatic stay in effect, because Mr. Saadein's bankruptcy case was dismissed by the Bankruptcy Court on August 26, 2024, and Mr. Saadein did not appeal that dismissal, as discussed further below.

Nor is there any cognizable basis, under the All Writs Act or otherwise, for the grant of Mr. Saadein's requested relief, which essentially asks this Court to act as an appellate court concerning the Orders of the State Court, which this Court cannot do except in very limited circumstances, none of which exist here. Certainly none of the nine cases cited by Mr. Saadein in his Motion are to the contrary, as discussed below.

STATEMENT OF RELEVANT MATERIAL FACTS

1. The Circuit Court for Prince William County, Virginia (the "State Court"), by Order Granting Summary Judgment entered on February 16, 2024, ordered the Property to be sold by a Special Commissioner of Sale. By separate Order dated that same day, Richard A. Lash, Esquire, was appointed Special Commissioner of Sale, and Mr. Saadein and his spouse, Oscar Saadein-Morales, were ordered to vacate the Property within sixty (60) days. (A copy of those February 16, 2024 Orders are attached as **Exhibit A** and **Exhibit B** hereto, respectively.) Appellant Mr. Saadein did not appeal the February 16, 2024 Order Granting Summary Judgment and it therefore has been a final Order and Judgment since March 11, 2024.

2. Mr. Saadein filed for bankruptcy (Chapter 13) on May 10, 2024, but that case was later dismissed per Order of U.S. Bankruptcy Court Judge Klinette H. Kindred.

3. Mr. Saadein then filed a second bankruptcy case (Chapter 13), but U.S. Bankruptcy Court Judge Brian F. Kenney dismissed that case per Order dated August 26, 2024. Mr. Saadein did not appeal that dismissal, nor did he ever obtain a stay of that dismissal.

4. Instead of appealing the August 26, 2024 dismissal of his second bankruptcy case, Mr. Saadein appealed Judge Kenney's Order of August 2, 2024, which granted, in part, Westridge's motion to lift the automatic stay. Mr. Saadein filed that appeal in the U.S. District Court for the Eastern District of Virginia, and that case was assigned to U.S. District Court Judge Leonie M. Brinkema.

5. On November 15, 2024, Mr. Saadein filed an "Emergency Motion" in the District Court, and Judge Brinkema denied that motion by an Order dated the same day. Mr. Saadein then appealed that Order of Judge Brinkema to this Court (Case No. 24-2160).

6. By Order dated February 26, 2025, Judge Brinkema affirmed Judge Kenney's August 2, 2024 Order, on the ground, among others, that the unappealed August 26, 2024 dismissal of the case mooted Mr. Saadein's appeal of Judge Kenney's August 2, 2024 Order.

7. Mr. Saadein then appealed Judge Brinkema's February 26, 2025 Order to this Court, which is Case No. 25-1229.

8. On May 30, 2025, Westridge filed motions in Case No. 25-1229 for summary affirmance of Judge Brinkema's Orders entered on November 15, 2024 and February 26, 2025 (Doc: 55-1 and Doc: 56-1), and in Case No. 24-2160 (Doc: 79-1 and Doc: 80-1), which motions Mr. Saadein did not oppose. Those motions remain pending.

9. By Order dated August 15, 2025, the State Court approved contracts for work on the Property and for the payment of that work out of the proceeds of the sale of the Property. (A copy of that Order is attached hereto as Exhibit C.)

10. By Order dated September 19, 2025 (copy attached hereto as Exhibit D), the State Court approved the contract for the sale of the house.

ARGUMENT

I. The All Writs Act Does Not Provide Authority for the Relief Requested by Appellant.

Appellant relies on the All Writs Act, 28 U.S.C. § 1651(a), as authority for the relief he requests and cites two Fourth Circuit cases where injunctive relief was awarded pursuant to that Act, Miller v. Brooks (In re Am. Honda Motor Co.), 315 F.3d 417, 440-41 (4th Cir. 2003) and Bryan v. BellSouth Communs., Inc., 492 F.3d 231, 239-42 (4th Cir. 2007). Neither case, however, actually supports an award of the relief Mr. Saadein now requests pursuant to the All Writs Act.

Specifically, in Miller v. Brooks, this Court affirmed an order of the District Court that enjoined enforcement of an arbitration award in the District Court case because the District Court had found, after a hearing, that the award had been obtained by fraud, and that an injunction of the award was needed to protect the integrity of the remainder of the pending multi-district litigation in the District Court. That case has no application here because no finding has been made that the Orders and Judgments obtained by Westridge in the State Court were obtained by fraud; there is no evidence that would support such a finding; and because Mr. Saadein is precluded from making any such claim now, by his failure to do that in the State Court.

In Bryan v. BellSouth Communs. Inc., 492 F.3d 231, 239-42 (4th Cir. 2007) this Court affirmed an order of the District Court, enjoining further proceedings in a state court case

because the District Court found that doing so was necessary in order to protect or effectuate the prior judgment of the District Court. As such, like the Miller v. Brooks case, the Bryan v. BellSouth case has no application here because enjoining the continued enforcement of the State Court Orders and Judgments concerning Mr. Saadein is not necessary to “protect or effectuate” any order or judgment of this Court, notwithstanding Mr. Saadein’s conclusory and *ipse dixit* statement to the contrary.

II. None of the Other Cases Cited By Appellant Provides Authority for Appellant’s Requested Relief.

Appellant Mr. Saadein cites seven other cases in support of his motion, none of which supports the grant of the relief he requests. For example, Mr. Saadein cites United States v. James Daniel Good Real Property, 510 U.S. 43, 53-55 (1993), which concerned a situation where the appellant was not provided with due process before the government seized his home. That case has absolutely no application here, where Mr. Saadein was indisputably provided with notice of every single proceeding in the State Court, by email, mail and sometimes by personal service by the Prince William County Sheriff (of Rules to Show Cause why Mr. Saadein should not be held in contempt for his willful failure to comply with various of the State Court’s Orders.)

The remaining six cases cited by Appellant Mr. Saadein can also be disregarded. Four of those cases just deal with the usual requirements for granting injunctive relief, but none of those cases deal with a situation like that here.¹ Moreover, all of those cases also demonstrate that those requirements only apply if the injunction sought concerns a claim that has been brought

¹ Those cases are League of Women Voters of N.C. v. N.C., 769 F.3d 224, 235-36 (4th Cir. 2014); The Real Truth About Obama v. FEC, 607 F.3d 355, 362 (4th Cir. 2010); Winter v. NRDC, Inc., 555 U.S. 7 (2008); and Long v. Robinson, 432 F.2d 977, 979 (4th Cir. 1970).

against the other party, but Mr. Saadein has not asserted any claim against Westridge. I.e., the injunction he seeks is not tethered to any claim against Westridge. And this is not the Court in which Mr. Saadein can assert any claim against Westridge, in any event. Mr. Saadein also fails to note that his "unclean hands" would bar his request for an injunction even if it were otherwise well-founded.²

The other two cases cited by Mr. Saadein are not on point, either because they are factually distinguishable, or because they do not deal with the relevant issues.³

III. Appellant Also Has No Standing to Seek the Injunction He is Requesting.

In his Emergency Motion Mr. Saadein is asking this Court to enjoin the distribution of the proceeds of the State Court-ordered sale of the Property, so that another completely independent basis for denying that requested injunction is that Mr. Saadein has no standing to make that request because he has no claim to any of those sale proceeds, all of which are to go, as approved by the State Court, to the creditors who Mr. Saadein failed to pay. The only parties who might have an interest in how the sale proceeds are disbursed are those creditors, and not Mr. Saadein.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that Appellant's Emergency Motion for Protective Direction Under the All Writs Act and for Injunctive Relief Under FRAP 8

² Mr. Saadein's "unclean hands" include the fact that he owes Westridge more than \$130,000; failed to make any payments for approximately the last four years on his over \$800,000 home loan from Navy Federal Credit Union; has attempted to frustrate the pending sale of the Property, in violation of the State Court Orders; and has been ordered to show cause at a October 3, 2025 hearing in State Court why he should not be held in contempt for doing so.

³ Those cases are Griggs v. Provident Consumer Discount Co., 459 U.S. 56, 58 (1982); and Kalb v. Feuerstein, 308 U.S. 443, 448 (1940). (Kalb is not on point because it concerned the voiding of sale and disbursement orders entered while the bankruptcy case was pending, which is not the case here.)

to Prevent Disbursement of Sale Proceeds Pending Appeal should be denied, and Appellee Westridge awarded such other and further relief as may be just and proper.

**WESTRIDGE SWIM AND RACQUET CLUB,
INC., A COMMUNITY ASSOCIATION**
By Counsel

MERCERTRIGIANI LLP

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CERTIFICATE OF SERVICE

I certify that on September 23, 2025, a copy of the foregoing was served by email and regular, first-class prepaid mail to:

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Appellant pro se

/s/ Thomas C. Junker

Thomas C. Junker

#4901-8089-7642

EXHIBIT F

Nos. 24-2160 (Lead), 25-1229 (Consolidated)
In the United States Court of Appeals for the Fourth Circuit

JUSTIN JEFFREY SAADEIN-MORALES,

Plaintiff – Appellant

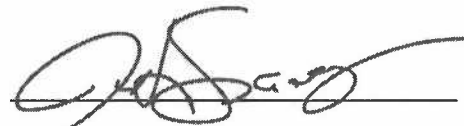
v.

WESTRIDGE SWIM AND RACQUET CLUB, INC.,
A Community Association

Defendant – Appellee

On Appeal from the U.S. District Court,
Eastern District of Virginia
No. 1:24-cv-01442-LMB-IDD

**REPLY TO APPELLEE’S REPLY TO APPELLANT’S EMERGENCY MOTION
FOR PROTECTIVE DIRECTION UNDER THE ALL WRITS ACT AND FOR
INJUNCTIVE RELIEF UNDER FRAP 8 TO PREVENT DISBURSEMENT OF
SALE PROCEEDS PENDING APPEAL**



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September 23, 2025,

Pro se

PRELIMINARY STATEMENT

Appellee Westridge's Opposition rests entirely on orders that were jurisdictionally void when entered. On August 16, 2024, Appellant filed a notice of appeal from the bankruptcy court's Order Determining that No Automatic Stay is in Effect as to the Debtor, ECF 43. See Bankr. Case No. 24-11119-BFK, ECF 47. At that moment, the bankruptcy court was divested of jurisdiction over all substantive matters related to the stay. *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982). All subsequent bankruptcy orders, including the purported dismissal of the case on August 26, 2024, as noted in ECF 118, are void.

On November 18, 2024, Appellant noticed an appeal from the district court's November 15, 2024, order denying emergency relief. See EDVA Case No. 1:24-cv-01442-LMB-IDD, ECF 16. At that point, the district court was divested of jurisdiction. Nevertheless, it issued an order on February 26, 2025, affirming the bankruptcy court. ECF 26. That order, too, is void. Thus, Appellee's reliance on post-divestiture orders is misplaced.

STATEMENT OF FACTS CORRECTING APPELLEE'S OMISSIONS

Westridge omits the controlling fact that jurisdiction was twice transferred to higher courts: first to the Eastern District of Virginia on August 16, 2024, and then to this Court on November 18, 2024. Orders entered after those appeals are

null and void. See *Kalb v. Feuerstein*, 308 U.S. 433, 438-39 (1940).

Westridge also ignores that Appellant remains the deed holder of the property. State proceedings treated the matter as an "eviction," but ejectment is the proper remedy where title is undisputed. This misclassification underscores the unlawful nature of the proceedings.

THE ALL WRITS ACT APPLIES TO PROTECT THIS COURT'S JURISDICTION

Appellee mischaracterizes the All Writs Act as limited to federal review of state judgments. The statute exists to preserve federal jurisdiction. 28 U.S.C. § 1651(a). In *Bryan v. BellSouth Communications, Inc.*, 492 F.3d 231, 239-42 (4th Cir. 2007), this Court affirmed the power to enjoin state proceedings where necessary to protect or effectuate federal jurisdiction. Likewise, in *In re Am. Honda Motor Co.*, 315 F.3d 417, 440-41 (4th Cir. 2003), injunctions issued under the All Writs Act were necessary to safeguard ongoing federal litigation.

Here, disbursement of proceeds from a sale that is the subject of pending appeals directly threatens this Court's jurisdiction. Relief is not sought to "review" the state court but to prevent the destruction of appellate jurisdiction.

CASES CITED BY APPELLANT SUPPORT INJUNCTIVE RELIEF

Appellee dismisses *United States v. James Daniel Good Real Property*, 510 U.S. 43, 53-55 (1993), as irrelevant. In fact, it

underscores that seizure of a home without adequate federal process violates the Constitution. That principle applies with greater force here, where federal appeals were pending.

The remaining cases cited by Appellant, including *League of Women Voters of N.C. v. N.C.*, 769 F.3d 224, 235-36 (4th Cir. 2014); *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008); and *Long v. Robinson*, 432 F.2d 977, 979 (4th Cir. 1970), establish the governing four-factor test for injunctive relief. Westridge offers no substantive rebuttal of those standards. Instead, it substitutes "unclean hands" rhetoric, which is irrelevant to federal statutory and constitutional protections.

APPELLANT HAS STANDING TO SEEK INJUNCTIVE RELIEF

Appellee argues Appellant lacks standing to enjoin disbursement because proceeds will go to creditors. That misstates standing doctrine. Injury-in-fact here arises from deprivation of possession, loss of statutory protections, and interference with appellate jurisdiction. See *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560-61 (1992). These injuries are traceable to Appellee's conduct and redressable by injunction.

Moreover, Appellee lacked standing in the bankruptcy court. Relief from stay requires proof of a colorable claim to enforce the debt. *In re Urban Broad. Corp.*, 401 F.3d 236, 244 (4th Cir. 2005). Appellee never validated the debt as required by 15

U.S.C. § 1692g. Its motion for relief was defective from inception.

"UNCLEAN HANDS" IS IRRELEVANT

Appellee's reliance on "unclean hands" is a diversion. Bankruptcy law exists to protect debtors in default. See *Fuentes v. Shevin*, 407 U.S. 67, 82 (1972). Equitable defenses cannot override statutory protections enacted by Congress. Nor can they excuse violations of the Supremacy Clause.

CONTRADICTIONS AND VOID ORDERS

Appellee acknowledges the appeals but insists that state-court proceedings are unrelated. That is irreconcilable with *Griggs*. Once appeals were filed, jurisdiction transferred. Actions taken by the bankruptcy court, district court, or state court after the appeals are filed that affect the subject matter of those appeals are void. See *Cochran v. Morris*, 73 F.3d 1310, 1315 (4th Cir. 1996).

Thus, Appellee's entire Opposition depends on judgments and orders entered without jurisdiction.

CONCLUSION

Appellee's Opposition misstates the record, distorts controlling precedent, and relies on void judgments. The All Writs Act exists precisely to prevent state-court disbursement from destroying federal appellate jurisdiction. This Court

should grant Appellant's Emergency Motion, enjoin disbursement of sale proceeds, and preserve the integrity of pending appeals.

Respectfully submitted,

September 23, 2025

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Justin Saadein-Morales', with a long horizontal flourish extending to the right.

Justin Jeffrey Saadein-Morales
Pro Se Appellant
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CERTIFICATE OF SERVICE

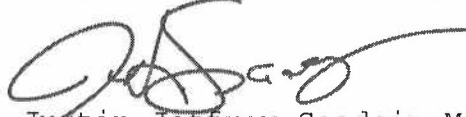
I hereby certify that on September 23, 2025, I electronically filed the foregoing using the CM/ECF system, which will send notice to all registered counsel of record, including:

Lucia Anna Trigiani & David S. Mercer
MercerTrigiani LLP, 112 S. Alfred St., Alexandria, VA 22314

Richard A. Lash
Buonassissi, Henning & Lash, PC
12355 Sunrise Valley Dr., Ste. 650, Reston, VA 20191

September 23, 2025

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Justin Saadein-Morales', with a long horizontal flourish extending to the right.

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EXHIBIT G

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

JUSTIN JEFFREY SAADEIN-MORALES,)

Appellant,)

v.)

WESTRIDGE SWIM AND RACQUET)
CLUB, INC., A COMMUNITY)
ASSOCIATION,)

Appellee.)

Nos. 24-2160 and 25-1229
(Consolidated)

**APPELLEE’S MOTION TO STRIKE APPELLANT’S REPLY TO
APPELLEE’S OPPOSITION TO APPELLANT’S EMERGENCY MOTION**

Appellee Westridge Swim and Racquet Club, Inc., A Community Association

(“Westridge”), by counsel, hereby files this Motion to Strike the Reply filed by Appellant (Doc: 112) to Westridge’s Opposition to Appellant’s Emergency Motion (Doc: 103)¹, and states as follows.

ARGUMENT

Westridge filed its Opposition to Appellant’s Emergency Motion on Tuesday, September 23, 2025 at 2:59 p.m. Appellant filed his seven (7) page Reply to that Opposition sixty-two minutes later that same day, at 4:01 p.m., citing four cases that he had not cited in his Emergency Motion, in addition to eight cases that he had cited in his Emergency Motion. It is submitted that Appellant, who is appearing *pro se* and who is not lawyer, could not have prepared and filed the Reply so quickly without the use of artificial intelligence (and almost certainly without reading

¹ Appellant’s Reply is Doc: 112; his Emergency Motion is Doc: 103; and Appellee’s Opposition is Doc: 110.

the four new cases he cited, one of which is 51 pages long, one is 36 pages long, and a third is 22 pages long). Nor is this the first time that Appellant has done this.

In his appeal to this Court in Case No. 24-2160 from the November 15, 2024 Order of United States District Judge Leonie M. Brinkema denying Appellant's Emergency Motion for Contempt and Emergency Motion for Injunction to Protect Automatic Stay (the "November 15 Order"), Judge Brinkema noted at page 2 that many of the cases cited in Appellant's Motion did not say what he claimed they said, and stated:

Moreover, many of the cases which appellant cites for his contention that the stay remains in effect do not say what he claims they do. See, e.g., In re Construction Supervision Services, Inc., 753 F.3d 124, 128 (4th Cir. 2014) (not stating that the automatic stay continues during appeal of its termination, despite appellant's claim to the contrary); Valley Historic Ltd. Partnership v. Bank of New York, 486 F.3d 831, 836 (4th Cir. 2007) (not involving the appeal of a stay termination, despite appellant's claim to the contrary). Indeed, appellant appears to have fabricated multiple quotations when citing these cases, see [Dkt. No. 10] at 14, perhaps indicating unsupervised and unwise reliance on faulty chatbots. See also id. at 16 (falsely claiming that the court in In re Denby-Peterson, 941 F.3d 115, 123 (1st Cir. 2019), stated that "knowledge of an appeal transforms continued collection from ordinary violation to conscious disregard of judicial authority"). (A copy of that Order is attached hereto as Exhibit A.)

Similarly, the four new cases cited by Appellant in his Reply do not say or hold what Appellant claims they do, nor do they provide any support for his arguments.

Those four cases are Lujan v. Defenders of Wildlife, 504 U.S. 555, 560-61 (1992); White v. Univision of Va. Inc. [cited by Appellant as In re Urban Broad. Corp.], 401 F.3d 236, 244 (4th Cir. 2005); Fuentes v. Shevin, 407 U.S. 67, 82 (1972); and Cochran v. Morris, 73 F.3d 1310, 1315 (4th Cir. 1996). Appellant cited Lujan in an attempt to rebut Appellee's argument that Appellant lacked standing to seek an order enjoining the distribution of the proceeds of the sale of the Property because Appellant indisputably has no claim to the proceeds of the sale of the

Property. But the respondents in Lujan were held not to have standing for reasons entirely different than the reason why Appellant lacks standing with regard to his Emergency Motion.

Appellant cited White [In re Urban], for the proposition that Westridge lacked standing as a creditor in Appellant's bankruptcy case, arguably because Westridge "never validated the debt [owed by Appellant to Westridge]" pursuant to 15 U.S.C. § 1692g. But White did not address that statute. Even assuming *arguendo* that Westridge did not properly validate Appellant's debt, a violation of that statute does not invalidate the debt or preclude Westridge from collecting it.

Appellant cited Fuentes at 407 U.S. 67, at p. 82, for the proposition that "bankruptcy law exists to protect debtors in default." But that statement does not appear anywhere on the page cited by Appellant, nor anywhere else in the Fuentes decision. Fuentes is a "due process case" (and probably the seminal one), which, as Westridge argued in its Opposition, has no application here because Appellant had notice of every proceeding, in all of the courts involved, and had every opportunity to make his arguments, however unfounded they are. (And while debtors do, of course, have certain protections under bankruptcy law, that fact does not mean that Appellant is entitled to the relief he requests in his Emergency Motion.)

Appellant cited Cochran for the proposition that neither the Circuit Court of Prince William County, Virginia, the United States Bankruptcy Court or the United States District Court, had jurisdiction to enter the judgments and orders that they did, but by no stretch of the imagination is Cochran authority for that conclusion, including the fact that it held that the District Court in that case did have jurisdiction to rule as it did. The only possible explanation for Appellant's citation of Cochran is that his AI chatbot was searching for cases having to do with "jurisdiction." And as ridiculous as it is, it appears from Appellant's allegation of lack of jurisdiction that Appellant's end game is not merely to stay the distribution of the proceeds from

the sale of the Property, but rather to have Appellant awarded possession of the Property, free and clear of his mortgage obligation to Navy Federal, to Westridge, and to all of the other creditors. Which would be an absurd result, of course, and one that would not be supported by any authority cited by Appellant, or by any other authority.

The eight other cases that Appellant cited in his Reply were addressed in Appellee's Opposition (Doc: 110) or in previous submissions by Appellee in responses to Appellant's filings.

CONCLUSION

As demonstrated above, Appellant's Reply (like his Emergency Motion) is not well-founded, and that he is almost certainly relying on faulty chatbots, which improperly and unfairly wastes this Court's and Westridge's valuable resources. For those reasons and the other reasons set forth above, it is respectfully submitted that Appellant's Reply to Westridge's Opposition to Appellant's Emergency Motion for Protective Direction Under the All Writs Act and for Injunctive Relief Under FRAP 8 to Prevent Disbursement of Sale Proceeds Pending Appeal (Doc: 112) should be stricken from the papers in this case.

**WESTRIDGE SWIM AND RACQUET CLUB,
INC., A COMMUNITY ASSOCIATION**
By Counsel

MERCERTRIGIANI LLP

By: /s/ Thomas C. Junker

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CERTIFICATE OF SERVICE

I certify that on September 26, 2025, a copy of the foregoing was served by email and regular, first-class prepaid mail to:

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Appellant pro se

/s/ Thomas C. Junker

Thomas C. Junker

#4938-4361-6620

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

JUSTIN JEFFREY SAADEIN-MORALES,)	
)	
Appellant,)	
)	
v.)	1:24-cv-1442 (LMB/IDD)
)	
WESTRIDGE SWIM & RACQUET CLUB,)	
INC.,)	
)	
Appellee.)	

ORDER

Acting pro se, appellant Justin Jeffrey Saadein-Morales filed an Emergency Motion for Contempt and Injunction to Protect Automatic Stay [Dkt. No. 10], in which he appears to be requesting this Court's interference in an ongoing state court contempt proceeding. He alleges the state court proceeding is in violation of the automatic stay that goes into effect when a person files for bankruptcy protection.

As the docket sheet for the Chapter 13 proceeding at issue in this appeal shows, appellant's Chapter 13 proceeding was dismissed and the case was closed on August 28, 2024. See Bankr. Case No. 24-11119-BFK [Dkt. No. 80]. Although appellant has appealed that dismissal, the appeal does not reinstate the bankruptcy proceeding.

The cases on which appellant relies for the argument that the automatic stay remains in effect while an appeal of a decision lifting the stay is pending do not apply here where the entire bankruptcy case has been dismissed. Rather, because the automatic stay only arises when there is an active bankruptcy case, the termination of the entire case extinguishes the stay. See In re Knight, 955 F.2d 47 (9th Cir. 1992) ("The dismissal of the bankruptcy petition terminates the automatic stay of section 362(a)."); In re Doherty, 229 B.R. 461, 463 (Bankr. E.D. Wash. 1999)

(When a case is dismissed, the automatic stay terminates immediately upon the docketing of the dismissal order.”); Shaw v. Ehrlich, 294 B.R. 260, 274 (W.D. Va. 2003) (“[H]ad the bankruptcy court dismissed the case and refused to convert it, the automatic stay would have terminated.”).

Moreover, many of the cases which appellant cites for his contention that the stay remains in effect do not say what he claims they do. See, e.g., In re Construction Supervision Services, Inc., 753 F.3d 124, 128 (4th Cir. 2014) (not stating that the automatic stay continues during appeal of its termination, despite appellant’s claim to the contrary); Valley Historic Ltd. Partnership v. Bank of New York, 486 F.3d 831, 836 (4th Cir. 2007) (not involving the appeal of a stay termination, despite appellant’s claim to the contrary). Indeed, appellant appears to have fabricated multiple quotations when citing these cases, see [Dkt. No. 10] at 14, perhaps indicating unsupervised and unwise reliance on faulty chatbots. See also id. at 16 (falsely claiming that the court in In re Denby-Peterson, 941 F.3d 115, 123 (1st Cir. 2019), stated that “knowledge of an appeal transforms continued collection from ordinary violation to conscious disregard of judicial authority”).

The Court also notes the futility of this motion, which was physically filed at 8:54 a.m. on November 15, 2024, the same day of the state court contempt hearing that appellant wanted the Court to declare void. For these reasons, it is hereby

ORDERED that the Emergency Motion be and is DENIED.

To appeal this decision, appellant must file a written notice of appeal with the Clerk of the Court within thirty (30) days of the date of entry of this Order. A notice of appeal is a short statement indicating a desire to appeal, including the date of the order appellant wants to appeal. Appellant need not explain the grounds for appeal until so directed by the United States

Case 1:24-cv-01442-LMB-IDD Document 13 Filed 11/15/24 Page 3 of 3 PageID# 804

Court of Appeals for the Fourth Circuit. Failure to file a timely notice of appeal waives appellant's right to appeal this decision.

The Clerk is directed to send a copy of this Order to appellant, pro se, and to counsel for the appellee.

Entered this th15 day of November, 2024.

Alexandria, Virginia

/s/ LMB
Leonie M. Brinkema
United States District Judge