

No. 25-542

**In the
Supreme Court of the United States**

TONYA LEE. RANDLEMAN,

Petitioner,

v.

FIRELANDS HABITAT FOR HUMANITY, INC.,

Respondent,

**ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

PETITION FOR REHEARING

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February 3rd, 2026

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Pursuant to Rule 44, Petitioner Tonya Lee Randleman requests rehearing and reconsideration of the Court's January 12, 2026, order denying the Petition for a Writ of Certiorari, on the grounds of substantial intervening circumstances and substantial grounds not previously presented.

This case challenges the decision to the district court on the grounds of wrongful remand to the state court based on 28 U.S.C. § 1441 – Removal of civil actions. Pursuant to 28 U.S.C. § 1441(c)(A) a claim arising under the Constitution, laws, or treaties of the United States (within the meaning of section 1331 of this title). In addition to 28 U.S.C. §1452(a), any civil action brought in a state court may also be subject to removal pursuant to 28 U.S.C. §1441(a), if applicable. *See Things Remembered, Inc. v. Petrarca*, 516 U.S. 124 (1995). The Petitioner's argument is directly related to cases under title 11 of the Bankruptcy Code. Pursuant to 28 U.S.C. § 157 – Procedures under § 157(a) Each district court may provide that any or all cases under title 11 and any or all proceedings arising under title 11 or arising in or related to a case under title 11 shall be referred to the bankruptcy judges for the district. The removal of this case to the federal court was performed by the defendant to a "civil action" that arises from the Common Pleas Court of Erie County, Ohio, in *Firelands Habitat for Humanity, Inc. v. Tonya L. Randleman, et al.*, Case No. 2015-CV-0565, based on a MOTION TO LIFT STAY filed by and through the counsel for the plaintiff.

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BACKGROUND

On February 22, 2024, Attorneys for Plaintiff, Firelands Habitat for Humanity, Inc., filed with the Erie County Court

of Common Pleas a MOTION TO LIFT STAY in *Firelands Habitat for Humanity, Inc. v. Tonya L. Randleman, et al.*, Case No. 2015-CV-0565. The Plaintiff by and through counsel moved the Court to lift its stay granted on or about October 12, 2022, due to Defendant, Tonya L. Randleman receiving an Order or Discharge. On or about December 27, 2023, in the United States Bankruptcy Court Northern District of Ohio-Western Division Case No. 22-31526-maw an Order of Discharge was filed. Further, being that Defendant's bankruptcy is now concluded, and Plaintiff has no notice of any other bankruptcy filed on behalf of Defendant, the stay should be lifted, and this case should proceed. WHEREFORE, it is respectfully submitted to this Court that the current stay be lifted. The foregoing to filed with the Erie County Court of Common Pleas on February 22, 2024, by using the Court's electronic filing system, which will send a notice to all parties. The undersigned certifies the motion was sent via U.S. Regular Mail to the following: Tonya L. Randleman, 1114 Wamajo Drive, Sandusky, OH 44870, Dean L. Swain, Sr., 1114 Wamajo Drive, Sandusky, OH 44870, and Stewart Hastings Law Director, City of Sandusky 240 Columbus Avenue, Sandusky, OH 44870.

On April 22, 2024, in the Common Pleas Court of Erie County, Ohio in *Firelands Habitat for Humanity, Inc. v. Tonya L. Randleman, et al.*, Case No. 2015-CV-0565 Defendant Tonya L. Randleman filed a notice of removal to the federal court pursuant to 28 U.S.C. § 1441 – Removal of civil actions. Pursuant to 28 U.S.C. § 1441(c)(A) a claim arising under the Constitution, laws, or treaties of the United States (within the meaning of section 1331 of this title). In addition to 28 U.S.C. §1452(a), any civil action brought in a state court may also be subject to removal pursuant to 28 U.S.C. §1441(a).

On April 29, 2024, the U.S. District Court for the Northern District of Ohio – Western Division filed case Removed from State Court pursuant to 28 U.S.C. § 157. Under Case No. 3:24-cv-00760-JJH Randleman v. Firelands Habitat for Humanity, Inc.

On April 30, 2024, ORDER OF REMAND was issued for reason removal was not proper.

On May 7, 2024, Notice of Appeal was filed to the United States Court of Appeals for the Federal Circuit. Notice of Appeal (USCA# 24-1813). Date filed in USCA 5/14/24.

On July 22, 2024, the United States Court of Appeals for the Federal Circuit ORDERED THAT: This appeal and all its filings are transferred to the United States Court of Appeals for the Sixth Circuit pursuant to 28 U.S.C. 1631.

On July 25, 2024, the United States Court of Appeals for the Sixth Circuit filed appeal under Docket No. 24-3640.

On August 4, 2025, the Sixth Circuit entered JUDGMENT ordering that the appeal is DISMISSED.

On August 16, 2025, Petition for Hearing was filed in the Sixth Circuit.

On December 17, 2025, Petition for Hearing was DENIED in the Sixth Circuit.

On January 5, 2025, the United States Supreme Court filed petition for writ of certiorari.

On March 21, 2025, the Common Pleas Court of Erie County, Ohio issued a bench warrant to the Erie County Sheriff's Office. For failure of Defendant to Vacate Premises.

On March 24, 2025, Tonya Lee Randleman was arrested by the Erie County Sheriff's Office at her place of employment. For failure to Vacate Premises known as 1114 Wamajo Drive, Sandusky, OH 44870. Whereas at a term of the Common Pleas Court, held at the Court House in and for said County, on April 5, 2016, Firelands Habitat for Humanity Inc., obtained a judgment and decree against the Tonya L. Randleman for the sum of (\$47,687.00) Forty-Seven Thousand Six Hundred Eighty-Seven and 00/100, and costs of suit.

On April 11, 2025, Tonya Lee Randleman was released from the Erie County Jail and her home known as 1114 Wamajo Drive, Sandusky, OH 44870 was stolen by the State of Ohio, freeholders of Erie County appraisal amount of \$102,000.00 upon viewing said property, was sold to YCH2 LLC, 30 N Gould St Suite R Sheridan, WY 82801 who bid the sum of \$68, 600.00.

On January 12, 2026, SCOTUS petition for writ of certiorari DENIED.

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ARGUMENT

I. This Petition shows procedural due process denied under Title 11 pursuant 28 U.S.C. § 157 (a) for failure to refer to bankruptcy judge.

The U.S. Bankruptcy Court hold the exclusive authority to lift the automatic stay in a bankruptcy case, as federal courts have jurisdiction over bankruptcy proceedings under Title 11. The Bankruptcy Court retains the authority over, the stay itself. A state court cannot issue orders that interfere with a debtor's ability to file for bankruptcy or lift the automatic stay. The Bankruptcy Court has exclusive

jurisdiction over bankruptcy matters, to hear cases and this authority is paramount. The automatic stay which stops creditors from pursuing actions against a debtor, is a federal protection that a state court cannot remove. In *Ritzen Group Inc. v. Jackson Masonry, LLC*, 589 U.S. ____ (2020), the Court confirmed that a bankruptcy court's denial of a motion for relief from the automatic stay is a final appealable order. State court judgments that attempt to limit a debtor's ability to seek bankruptcy relief, or that impose penalties for filing, are invalid. In *Fantasia v. Diodato*, __ F.4th __, No. 23-3742, 2025 WL 2639885 (9th Cir. Sept. 15, 2025), the Ninth Circuit held if a bankruptcy court lifts the stay and later reimposes it the latter order is also final and immediately appealable.

II. Intervention is necessary where the circuit court failed to uphold binding Supreme Court precedent.

Your home is generally protected in Chapter 7 bankruptcy if your equity in the property is less than the allowed homestead exemption, or if you have no equity at all. If your home equity exceeds the exemption amount, a trustee may sell it to pay creditors. In 2023, Ohio offered two different distinct homestead exemptions: one for bankruptcy protection and another for property tax relief. The bankruptcy homestead exemption protects home equity from being used to pay creditors. In early 2023, the exemption approximately \$145,425.00. Individual Filer: Protected up to \$145,425 of equity in a primary residence. In 2023 the Property Tax Homestead Exemption reduce the taxable value of a home for qualifying seniors and disabled residents. The Standard Exemption: Shielded \$26,200 of the homes market value from taxation for the 2023 tax year. In a Chapter 7 bankruptcy, the debtor (the person who filed the bankruptcy) is the one who receives the homestead exemption funds if the home is sold. The exemption essentially carves out a specific dollar amount of equity that is protected from creditors. If the bankruptcy trustee decides

to sell your home because it has “non-exempt” equity (equity above the exemption limit), the proceeds from the state are distributed in a specific legal order.

On December 27, 2023, in the United States Bankruptcy Court for the Northern District of Ohio [Case No. 22-31526-maw] IT IS ORDERED: A discharge under 11 U.S.C. § 727 is granted to: Tonya Lee Randleman aka Tonya Lee Randleman-Swain. On June 25, 2024, Case Closed Group 310. In a case involving community property: Special rules protect certain community property owned by the debtor’s spouse, even if that spouse did not file a bankruptcy case. That is directly related to CITY OF SANDUSKY FY 2004 COMMUNITY HOUSING IMPROVEMENT PROGRAM. In which the loan amount of Twenty-nine thousand, five hundred ninety-six (\$29,596.00) is a deferred loan in which 100% is forgiven after the ten (10) year period of affordability commencing on the date this mortgage is signed. Twenty-nine thousand, five hundred ninety-six (\$29,596.00) is a recapture loan which shall become due and payable to the City of Sandusky if the owner vacates the property, sells the property, transfers title to the property, or if the property is sold or transferred as part of the owner’s estate prior to the 10-year period of affordability. Dean L. Swain, Sr. and Tonya L. Randleman, husband and wife, The MORTGAGOR(S) of premises commonly known as 1114 Wamajo Drive, Sandusky, Ohio 44870, entered into agreement with the City of Sandusky, 222 Meigs Street, Sandusky, Ohio 44870. IN WITNESS WHEREOF, the note was duly executed on the 1st day of June 2006.

The Takings Clause of the Fifth Amendment. . . was designed to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole.” That guarantee of just compensation must apply at the very least

to cases in which the government engages in the outright confiscation of property. This means more than merely the government taking a privately owned asset for itself. It also includes situations in which the government permanently deprives a private owner of possession of the asset or gives the asset (or the right to permanently physically occupy the asset) to someone else. The Common Pleas Court of Erie County, Ohio committed fraud on the court involving a state judge, attorneys, and others known and unknown to the United States involving a “MOTION TO LIFT STAY” “fraudulent conveyance scheme” for unjust enrichment. See *Sheetz v. El Dorado County*, 601 U.S. ___ (2024); *Husky International Electronics, Inc. v. Ritz*, 578 U.S. 355 (2016).

Firelands Habitat for Humanity, Inc., a local affiliate in Ohio coordinated by Habitat for Humanity International operating in 50 U.S. states and over 70 countries committed forum shopping to pillage property. This case is critical to nation and international importance. No state court cannot lift an automatic stay imposed by a federal bankruptcy filing. The bankruptcy court holds exclusive jurisdiction over the debtor and their property, meaning a motion to lift the stay must be filed with and approved by that specific federal bankruptcy court to proceed with state-level litigation. See *United States v. Throckmorton*, 98 U.S. 61 (1878).

Intervention is necessary where the Circuit Court abused its discretion when it chose not to align its ruling with the established precedent in *Things Remembered, Inc. v. Petrarca*, 516 U.S. 124 (1995). The Petitioner was denied the right to be heard in the court of proper jurisdiction pursuant to the precedent established in *Ritzen Group Inc. v. Jackson Masonry, LLC*, 589 U.S. ___ (2020).

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CONCLUSION

The Court should grant the Petition for Rehearing to uphold the guarantees of procedural fairness (notice and a hearing) and substantive rights (fundamental liberties) established under the Due Process Clauses of the Fifth and Fourteenth Amendments to protect all persons within U.S. borders – regardless of citizenship – from arbitrary deprivation of life, liberty, and property by federal and state governments.

Respectfully submitted,

TONYA LEE RANDLEMAN

“Pro se Litigant”

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**CERTIFICATE OF PARTY
UNREPRESENTED BY COUNSEL**

Pursuant to Rule 44.2, Party unrepresented by counsel certifies that the Petition is limited to intervening circumstances of a substantial grounds not previously presented. Party unrepresented by counsel certifies that Petition is presented in good faith and not for delay.


Name of Party Unrepresented by Counsel

**In the
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TONYA LEE. RANDLEMAN,

Petitioner,

v.

FIRELANDS HABITAT FOR HUMANITY, INC.,

Respondent,

PROOF OF SERVICE

I, Petitioner, do swear or declare that on this date of February 3rd, 2026, as required by Supreme Court Rule 29. I have served PETITION FOR REHEARING on each party to have the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to the respondent party and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

Clerk of Court

U.S. Supreme Court
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Washington, DC 20543

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Solicitor General of the United States

Room 5616
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Washington, DC 20530-0001

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

Executed on February ¹²11, 2026.

/s/ Tonya Lee Randleman.