

No. 25-5526

IN THE
SUPREME COURT OF THE UNITED STATES

FOUZIA LAKHLOUFI — PETITIONER

vs.

MOHAMMAD ALI NIMBER ABUZANET — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

OREGON COURT OF APPEALS

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

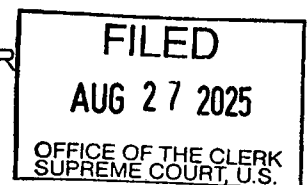
FOUZIA LAKHLOUFI

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503-300-8433

ORIGINAL



QUESTION(S) PRESENTED

- 1) Did the Oregon Court of Appeals abuse its discretion by not reversing and remanding to the trial court after it found a plain error in this dissolution default judgment between the parties?
- 2) Did the Washington County Circuit Court violate Petitioner (Wife) Ms. Lakhloufi's constitutional due process rights by granting a default judgment against her even though she was not at that hearing due to COVID-19 quarantine (see Appendix C)?
- 3) Do the law and constitution apply to all residents of the United States of America regardless of citizenship status and nationalities?

LIST OF PARTIES

- [] All parties appear in the caption of the case on the cover page.
- [x] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Caroline Hoffman Janzen, Rugged Law Inc.
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Attorney for Respondent

RELATED CASES

In the Matter of the Marriage of Mohammad Ali Nimber Abuzanet and Fouzia Lakhloufi
S071810 - Oregon Supreme Court

In the Matter of the Marriage of Mohammad Ali Nimber Abuzanet and Fouzia Lakhloufi
338 Or App 131 (A181491) - Oregon Court of Appeals

In the Matter of the Marriage of Mohammad Ali Nimber Abuzanet and Fouzia Lakhloufi
22DR07882 - Washington County Circuit Court

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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

- ☒ reported at 338 Or App 131; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was Feb 20, 2025.
A copy of that decision appears at Appendix A.

☒ A timely petition for rehearing was thereafter denied on the following date: May 29, 2025, and a copy of the order denying rehearing appears at Appendix B.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Ms. Lakhloufi, Petitioner (wife), addresses the esteemed US Supreme Court to sound the alarm that this divorce case, with its general judgement default, plain legal error, lack of evidence and official documents, and incomplete procedures, is a prime example of a violation of the Constitution.

The following are the violations and breaches that occurred:

In an Oregon divorce case, several constitutional and statutory provisions are relevant.

* Constitutional Provisions, Fourteenth Amendment:

1 - Due Process Clause: Guarantees a fair and impartial legal process, including the right to present evidence and be represented by counsel.: NOT APPLIED

2 - Equal Protection Clause: Ensures both parties are treated equally under the law.: NOT APPLIED

3 - Equal Protection clauses are central, ensuring a fair and equal process. Oregon statutes govern marital property division, child custody, support, and spousal support.: NOT APPLIED

4 - The equitable distribution of marital Property is divided fairly, often 50/50.: NOT APPLIED

=====

- ORS 107.025: Governs the process for dissolution of marriage (divorce).: NOT APPLIED

- ORS 107.105: Addresses the court's authority to issue judgments regarding property division, spousal support, and child-related matters.: NOT APPLIED

- ORS 107.106: Defines "marital property" subject to division and "separate property" that is not.: NOT APPLIED

STATEMENT OF THE CASE

The Petitioner appeals the opinion of the Oregon Court of Appeals dated February 20, 2025, which concluded that the Trial Court committed a plain error in the default general judgment entered on May 5, 2023. However, the error was not corrected and the matter was not remanded to the Oregon Circuit Court.

Nature of the Judgment

The Petitioner Fouzia Lakhroufi (hereinafter, Wife), the Respondent Mohammad Ali Nimer Abuzanat (hereinafter, Husband) specifically, the opinion of the Oregon Court of Appeals states that D. Charles Bailey, Judge was not allowed to enter a Default general judgment in favor of Respondent Mr. Abuzanat (Husband) without entering any evidence into the record.

Because the Oregon Court of Appeals based its opinion, it did not correct this error for two main reasons:

- First, the Oregon Court of Appeals said that because Petitioner (Wife) Ms. Lakhroufi was not present in the courtroom to object to the default, the error was not "preserved" Which means the trial court did not have an opportunity to avoid the mistake in defaulting against Petitioner.
- Second, the Oregon Court of Appeals does not believe the outcome of the case would be different if it went back to the trial court. The Court of Appeals relied on the prenuptial agreement (N2) dated December 28, 2020 and the short length of time that Petitioner (Wife) and Respondent (Husband) lived together after being married. Based on that information, the Court of Appeals stated that Petitioner (Wife) would not likely win the case even if it were sent back to the trial court for a new hearing (see APPENDIX A).

However, the Oregon Court of Appeals did not correct this plain error, based on its lack of complete information and this is due to several direct and indirect factors. Therefore, the filing by the Washington, Oregon Circuit Court was incomplete and flawed, including but not limited to the absence of data, facts, length time that Petitioner (Wife) and Respondent (Husband) lived together from November 11, 2019 until the Respondent arrested from the Sheriff Washington County, in marital home dated March 21, 2021 and accused for extreme domestic violence (DV) Criminal case No.: 21CR14134, DA: 3990 in this case, and in investigation Petitioner (Wife) Ms. Lakhroufi personally handed to Deputy Natalie Huggins, Patrol Division, the Original copy of Affidavit of Coercion dated November 18, 2020 signed and closed before one month from the date of signed prenuptial agreement dated December 28, 2020 to put objectively under the responsibility of the court, (see APPENDIX E) Copy of Affidavit of Coercion from dated November 18, 2020, Contract agreement (N1) dated February 28, 2020 (see APPENDIX D), evidence and witnesses, and Medical report Quarantine COVID-19 dated April 2, 2023 (see APPENDIX C) all this resulting in limited and incorrect information and a lack of information related to the entire case.

Since this divorce case concerns two fundamental issues within the jurisdiction of the United States Supreme Court:

- First: Financially: the total amount owed to the petitioning (Wife) exceeds \$75,000. according to initial estimates, the total financial claim \$609,000. *with the dues of the abused (wife) for 48 months and 50% of the husband's salary with compensation and other things.* Not including the value of the property division.
- Second, Federal, due to the difference in nationality between the two parties are:

Fouzia Lakhroufi, Petitioner, was born in the Kingdom of Morocco, and holds Moroccan nationality, and she is the fourth wife of Mohammad Ali Nimer Abuzanat. Ms. Lakhroufi is subject to (VAWA), violence against women act, a Federal law. She is a victim and survivor of extreme domestic violence (DV) and abuse in various forms: physical, psychological, medicine abuse knowing that petitioner have type 1 diabete and needs Insulin mult-time daily, financial, and religious (anti-Semitic) as stated in Case.: 21CR14134, DA: 3990

REASONS FOR GRANTING THE PETITION

Mohammad A Nimer Abuzanet, Respondent (husband), holds dual citizenship: Palestinian by birth, Jordanian citizenship, and US citizen obtained from his second wife, Gloria D Abuzanet.

Since the Court of Appeal concluded that there was an error, specifically, the opinion states that D. Charles Bailey, Judge was not allowed to default Petitioner (Wife) Ms. Lakhoulfi without taking any evidence or/ and without representation from an attorney, and the Court of Appeals said that because Petitioner (Wife) was not present in the courtroom to object to the default, the error was not "preserved."

However, this is due to the incomplete data in the Washington Circuit Court, and the absence of data, facts, evidence, and medical reports, which resulted in a lack of information in the entire case. Given the COVID-19 pandemic, Petitioner Fouzia's quarantine, and the extremely urgent health conditions, as described in the medical report dated April 2, 2023, which confirms that Petitioner was quarantined at Providence Saint Vincent Hospital from April 2, 2025, to April 4, 2025, and continuing that at her home from April 4, 2025, to April 10, 2025, until she recovered, she was not able to be present in the courtroom (see APPENDIX C).

Furthermore, she should not have been present in the courtroom or allowed to attend trial or public places due to the public health risk, particularly given her health condition and disability, which demonstrates her inability to object to the default.

Although the Court of Appeals does not believe the outcome of the case would be different if it went back to the trial court, it would be for two reasons:

- 1) There was a lack of evidence put on the record by Respondent (husband), Mr. Abuzanet, which is required by Oregon case law and:
- 2) the parties were not restored to their per-marital situations with the prenuptial agreement which does not meet the legal and eligibility requirements for implementation as is shown in criminal case: 21CR14134, DA: 39901. *As documented, at the Portland office of Attorney Mark Kramer, before petitioner (wife) Ms. Lakhoulfi was forced to sign a prenuptial agreement on December 28, 2020, in an attempt to protect herself, and she handed Mr. Kramer, Attorney the original copy of the affidavit dated November 18, 2020, which had been signed in sealed envelopes a month prior to that date, more information (see the Motion and declaration in support to Set Aside general judgment of dissolution of marriage dated on May 17, 2023).*

Since the prenuptial agreement Dated December 28, 2020, as is documented was signed under coercion and threats involuntarily (1) copy of affidavit of Coercion and threats dated November 18, 2020 (see APPENDIX E), and was not translated into the Arabic language knowing Petitioner (wife) did not speak or understand English language at that time. According to the law, this prenuptial is not enforceable as an agreement under contract Oregon State law, Federal Law and US supreme Court.

- 3) This case does not include the contract agreement (N 1) dated February 28, 2020, between the two parties, Petitioner and Respondent, (see APPENDIX D), that specify the duties and rights of each parties, Petitioner (wife) and Respondent (husband) all terms of this were agreed upon the two parties an official engagement ceremony to prove the good faith, these conditions were agreed upon in front of the family, friends, attendees and witnesses on April 25, 2019, Taza, Kingdom of Morocco.

- 4) Additionally, Petitioner (Wife) lived with Respondent (husband) as a couple at the address: 14880 SW Farmington Rd, Beaverton 97007, OR, since November 11, 2019, as shown in the Identification cards, neighbors who witnessed with her in the court, witness, and all official documents belonging to Petitioner (Wife) not just a few months, as was stated in the Court of Appeals decision.

5) For these circumstances and reasons, and for the safety of the petitioner, who is a survivor of domestic violence (DV) Criminal case 21CR14134, DA: 39901, which caused her three disabilities, it was natural to end this marriage by divorce for the safety of the petitioner. This does not prevent each party from taking their full rights.

The Court of Appeals therefore abused their discretion by not reversing the trial court. Because it did not follow correct procedure by proceeding to trial and simply awarded a default judgment to Respondent (husband) Mr. Abuzanet,

This case was decided unjustly unfairly and outside of the law, and invalid ruling and does not comply with the laws enacted by the legislator against Petitioner, (Wife) FouziaLakhloufi,. As a result of the unlawful judgment by D. Bailey, Judge, Petitioner (Wife) was rendered homeless, and her health condition disabilities is bed as is documented for years and still has not been returned her personal property that was in the house that she shared with her Respondent (husband) Mohammad Ali Nimer Abuzanet.

Therefore, the consequences of this unfair and unjust default judgment will negatively impact the life, rights, and property of Petitioner,. Based on the above, and given the conditions of this case, which are consistent with the US Supreme Court's conditions for admissibility in divorce cases.

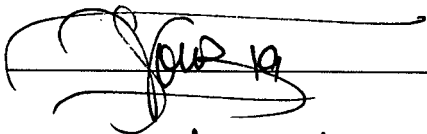
Petitioner (Wife) FouziaLakhloufi, respectfully requests that the Chief Justice, H Judge and Clerk of the US Supreme Court grant this writ of certiorari and reopen this case, and examine, identify, and correct any legal errors, whether intentional or unintentional, In order to preserve her constitutional rights, upheld and to be physically present at a hearing where there is an award of marital property.

May you continue to serve the public interest.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: August 20, 2025