

25-5552

ORIGINAL

Miscellaneous Docket No. \_\_\_\_\_

UNITED STATES SUPREME COURT

IN RE: LINDA A. NASH  
Petitioner

FILED  
SEP 25 2024

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

On Petition for a Writ of Mandamus to the  
United State Supreme Court  
Case No. 1:23-cv-03134-CJN. United States District Court Judge Carl Nichols

**PETITION FOR WRIT OF MANDAMUS**

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**RESPONDENTS**

Date: August 9, 2025

**Federal Question To The US Supreme Court**

1. Whether this Court should grant mandamus relief compelling the district court to vacate its Rooker-Feldman dismissal of petitioner's 42 U.S.C. § 1983 claim, where the parallel state-court proceedings remain pending and were procured by extrinsic fraud.
2. Whether a federal district court, in the exercise of its jurisdiction, may carve out exceptions to this Court's binding precedents merely because the plaintiff has demanded a jury trial.

## **CORPORATE DISCLOSURE**

The Statements below are being submit in the Petition for Writ of Mandamus as required by the clerk of the United States Supreme Court.

**Generally, a corporate disclosure statement is required for any nongovernmental corporate party or proposed intervenor in cases before federal courts of appeals, including those involving writs of mandamus.** The purpose of this disclosure is to identify parent corporations and publicly held companies with a significant stake in the litigant's stock, helping judges determine potential conflicts of interest, according to the U.S. Court of Appeals for the Fourth Circuit (.gov).

**However, the requirement to attach a corporate disclosure statement to a writ of mandamus, specifically for a *pro se* litigant, depends on whether the litigant is a corporation or an individual representing themselves in a personal capacity.**

This the *pro se* litigant is an individual representing herself in a personal capacity.



Linda A. Nash Petitioner Pro Se

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## RELATED CASES

### **1. Florida State Court, Case No. 59-2011-CA-004389**

- Style: Bank of America v. Richard Annette and Linda Nash
- Nature of the Action: Breach of contract
- Procedural History: Complaint filed on November 7, 2011; case closed May 11, 2021; reopened February 9, 2022 and remains pending
- Presiding Judge: Susan Stacy

### **2. Florida Fifth District Court of Appeal, Case No. 5D14-4511**

- Parties: Bank of America (appellant) vs. Richard Annette and Linda Nash (appellees)
- Issue on Appeal: Trial court's decision in the underlying breach of contract case
- Outcome: Trial court's findings reversed; mandate issued in favor of Bank of America
- Panel: Judges Orfinger, Berger, and Edwards

### **3. U.S. District Court for the Middle District of Florida, Case No. 6:18-cv-01712**

- Style: Linda Nash v. Bank of America
- Claim: Alleged violations of the Federal Debt Collection Practices Act
- Disposition: Dismissed under the Rooker-Feldman doctrine
- Presiding Judge: Roy B. Dalton Jr.

### **4. U.S. District Court for the Middle District of Florida, Case No. 6:19-cv-00885**

- Style: Linda Nash and Richard Annette v. Five Judges of the Florida Fifth District Court of Appeal
- Claims: Civil-rights violations under 42 U.S.C. § 1983 and criminal deprivation of rights under 18 U.S.C. § 242
- Disposition: Dismissed under the Rooker-Feldman doctrine
- Presiding Judge: Roy B. Dalton Jr.

### **5. \*\*Appeal – *Linda Nash v. Five Judges of the Florida Fifth District Court of Appeals***

\*\* Court: United States Court of Appeals for the Eleventh Circuit Case No.: 19-12898

**Nature of Case:** Appeal from district court dismissal of claims related to fraudulent lien and due process violations

**Disposition:** Dismissed by written opinion

**Legal Basis for Dismissal:** Application of the *Rooker-Feldman* doctrine, barring federal jurisdiction over claims that effectively seek review of state court judgments **Panel:** Judges Jordan, Newsom, and Carnes

**Relation to Current Action:** This appeal was taken by Linda Nash in connection with the matter listed as Related Case #4. The Eleventh Circuit's dismissal underscores the jurisdictional barrier posed by *Rooker-Feldman*, which is now challenged in the present action on constitutional grounds.

#### **6. U.S. District Court for the Middle District of Florida, Case No. 6:20-cv-01696**

- **Style:** Petitioners' effort to enforce an arbitration award vs. Bank of America (removal defendant)
- **Background:** Petition to enforce an arbitration award based on a lien modification filed originally in state court; removed by Bank of America
- **Case Management:** Ordered reclassified from "Track 1" to "Track 2"
- **Disposition:** Enforcement petition dismissed after plaintiff objected to further litigation of the award
- **Presiding Judge:** Roy B. Dalton Jr.

## **JURISDICTION STATEMENT**

This Court has jurisdiction to grant the relief sought by Petitioner under the All Writs Act, 28 U.S.C. § 1651(a), and Supreme Court Rule 20.3(a).

The Court's authority to issue an extraordinary writ of mandamus in aid of its jurisdiction was reaffirmed in SEC v. Jarkesy, 598 U.S. \_\_ (2024) (recognizing the All Writs Act as a vehicle to protect litigants' rights), and in Sheetz v. County of El Dorado, 598 U.S. \_\_ (2024) (confirming this Court's power to compel lower courts to honor constitutional guarantees).

Moreover, Cooper v. Aaron, 358 U.S. 1 (1958), makes clear that this Court's decisions bind all federal and state tribunals, and United States v. Shipp, 203 U.S. 563 (1909), exemplifies the Court's inherent authority—including its criminal contempt power—to enforce its mandates and protect litigants' constitutional rights; together, these cases affirm this Court's supervisory jurisdiction to ensure the enforcement of federally protected rights.

Furthermore, "We the People," invoking divine guidance and the rule of law, established a republican form of government comprised of three coequal branches deriving just powers from the consent of the governed. Without this Court's jurisdiction to enforce its rulings, the separation of powers and the government's duty to serve the best interests of its citizens would be rendered meaningless.

## Facts Necessary to Understand Petition

Petitioner Linda Nash respectfully submits the following facts as the background for this petition:

1. On October 19, 2023, Ms. Nash filed a complaint in the United States District Court for the District of Columbia against the United States of America Corporation, the State of Florida Corporation, Seminole County Florida Corporation, Bank of America, N.A., and unnamed John and Jane Does. The complaint alleged multiple deprivations of constitutionally protected rights arising from related litigation in the Florida state courts, the Central District of Florida, and the Eleventh Circuit. It also asserted that all respondents had violated the National Consent Judgment of April 4, 2012, over which the D.C. district court retained original jurisdiction.
2. Between October 19, 2023, and August 26, 2024, Ms. Nash filed four motions—each requesting a hearing or relief on her fraud-based and jurisdictional allegations. None of those motions was ever calendared for oral argument or decided on the merits before the court sua sponte dismissed the case under the Rooker–Feldman doctrine in June 2024.
3. On October 15, 2024, the district court denied Ms. Nash’s motion for reconsideration. Because she was granted only in forma pauperis status—not free PACER access—she did not receive the order until December 3, 2024, when it was finally mailed to her address. Without automatic notification from the docket, she was unaware of the denial for nearly seven weeks.
4. The underlying state-court action began on November 7, 2011, in the 18th Judicial Circuit, Seminole County, Florida, as a breach-of-contract case involving extrinsic fraud allegations. The trial court stayed that litigation pending appellate review; the Florida Fifth District Court of Appeal affirmed without opinion. On May 11, 2021, the circuit court closed the case for lack of

jurisdiction and advised that any further relief required a new petition. This was considered, at that time, by this Petitioner, to be a favorable ruling. Neither party appealed.

5. On February 9, 2022, Bank of America moved to reopen the 2011 case; the circuit court granted the motion, and that case remains open and still pending today.
6. Petitioner has pursued four other related federal actions in the Middle District of Florida: a. A Fair Debt Collection Practices Act claim against the original state-court plaintiff (dismissed under Rooker-Feldman). b. A deprivation-of-rights suit against different defendants (dismissed under Rooker-Feldman). c. An Eleventh Circuit appeal of the deprivation-of-rights dismissal (affirmed under Rooker-Feldman). d. An enforcement action to confirm an arbitration award filed in the state court and removed by Bank of America to the Middle District Court of Florida which was dismissed after petitioner refusal to reopen arbitration for further litigation.

These intertwined actions demonstrate that Ms. Nash has repeatedly been denied a hearing on her extrinsic-fraud and jurisdictional claims—despite parallel state proceedings acknowledging her allegations—and that the district courts have invoked Rooker-Feldman to insulate state-court judgments from federal review.

### **Petitioner's Argument for Reversal and Jury Trial Demand**

Petitioner respectfully urges this Court to reverse the District Court's dismissal under the Rooker-Feldman doctrine and grant the jury trial demanded in her complaint for the following reasons:

#### **1) The Rooker-Feldman Doctrine Does Not Apply;**

The Rooker-Feldman doctrine bars federal district courts from acting as appellate tribunals in cases where a “**state-court loser**” asks for review and rejection of a state judgment **【^1】**. Here, Petitioner is not seeking to overturn any state-court decree, but rather to vindicate statutory and constitutionally protected rights in an ongoing open state case as well as other related cases that arose after the 2016 State Appellate Court ruling and 2017 judgment. judgment was issued.

#### **2) No District Court May Carve Out Exceptions to Supreme Court Precedent:**

Article III and Congress's jurisdictional statutes strictly define what federal courts may—and may not—hear. A trial court lacks authority to:

- **Manufacture exceptions** to Supreme Court holdings;
- **Override** the Supremacy Clause by refusing to apply binding precedent; or
- **Reinterpret** landmark decisions such as Exxon Mobil, Nollan, Dolan, or Lance.

Lower courts cannot rewrite Supreme Court doctrine to suit local equities; only this Court may qualify or limit its own rulings.

### 3) Supreme Court Decisions Are “Law of the Land”

Under Article VI’s Supremacy Clause, every federal and state judge—and every lower court—“is bound” by this Court’s constitutional interpretations <sup>【^26】</sup>.

- **Cooper v. Aaron** held that even state executives and legislatures must obey Supreme Court orders, and that non-compliance cannot be excused by claims of good faith or local turmoil <sup>【^26】</sup>.

The District Court’s attempt to treat Rooker–Feldman as an escape hatch from Supreme Court mandates conflicts with Cooper’s reaffirmation of judicial supremacy.

### 4) The Court’s Ruling Preserve and Protects The Purpose Of Governments:

Our system entrusts courts with ensuring that government powers remain faithful to their constitutional aims. In **Sheetz v. El Dorado**, this Court rejected the notion that legislative bodies enjoy a free pass when imposing burdens on property rights <sup>【^21】</sup>. Likewise here, Petitioner’s right to due process and to a jury trial cannot be nullified by local actors.

### 5) Permitting Exceptions to Become the Norm Destroys the Rule of Law:

When “exceptions” proliferate, the underlying rule becomes meaningless.

Allowing district courts to fudge Rooker-Feldman’s scope undermines:

- **Checks and balances** system of government as well as on state-court excesses;
- The public’s confidence in federal adjudication; and

The integrity of constitutional rights that rely on independent federal review.

## 6) Supreme Court Orders Bind All Actors—Disobedience Invites Contempt:

This Court’s decisions are the supreme law of the land under the Supremacy Clause (U.S. Const. art. VI) and bind every branch of government, federal agencies, corporate entities, and private citizens alike. Willful defiance of its mandates constitutes contempt and invites sanction:

- In *United States v. Shipp* (1909), Sheriff Shipp was criminally prosecuted for aiding the lynching of Ed Johnson while a Supreme Court stay was in place, illustrating that compliance is mandatory even amid local hostility **【^16】**.
- In *Cooper v. Aaron* (1958), the Court held that state officials are bound by its rulings under the Supremacy Clause, reaffirming that no state actor may ignore or override this Court’s mandates **【^26】**.

- In *SEC v. Jarkesy* (2024), the Court underscored that its constitutional interpretations constrain not only government litigants and agencies but also corporate entities and private parties subject to regulatory enforcement—reinforcing that no actor, public or private, may evade compliance with this Court’s orders without consequence <sup>【^1】</sup>.

Nothing in our federal system permits a lower court, public official, or private citizen to alter, disregard, or contradict a binding Supreme Court decision. Any attempt to do so invites contempt proceedings and undermines the rule of law.

7) Petitioner’s Rationale Mirrors Exxon Mobil’s:

In **Exxon Mobil v. Saudi Basic Industries**, this Court vacated a district court dismissal under Rooker–Feldman by emphasizing that the doctrine is “narrow” and does not bar claims seeking **damages for injuries collateral to a state judgment** <sup>【^1】</sup>.

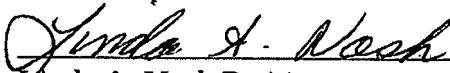
- Petitioner’s claims for **damages and injunctive relief** stem from alleged federal-law violations, not from a demand to overturn any state-court judgment.
- Just as Exxon Mobil’s plaintiffs were outside Rooker–Feldman’s “narrow ground,” so too is Petitioner, and this Court should follow Exxon Mobil’s teaching by remanding for jury trial.

## RELIEF SOUGHT

Petitioner respectfully prays that this Court:

1. Issue a writ of mandamus directing the appellate court to remand this case to the district court for a jury trial, thereby safeguarding Petitioner's rights under the Fourth, Fifth, Seventh, and Fourteenth Amendments; and
2. Reverse the District Court's dismissal—premised on a misapplication of the Rooker-Feldman doctrine, an improper carving out of exceptions beyond its jurisdiction, and an attempt to evade binding Supreme Court precedent—and order that Petitioner's claims proceed to a jury.

Respectfully submitted

  
\_\_\_\_\_  
Linda A. Nash Petitioner  
Attested to under penalty of  
perjury