

IN THE  
**SUPREME COURT OF THE UNITED STATES**  
**MARTHA JANE FORD,**

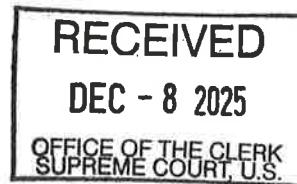
Petitioner,

v.

**BANK OF NEW YORK MELLON, Trustee, for CWABS, Inc. Asset-Backed Certificates,  
Series 2007-2,**  
Respondent.  
No. 25-5662

**MOTION FOR REHEARING  
OF DENIAL OF PETITION FOR WRIT OF CERTIORARI**

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December 03, 2025



TO THE HONORABLE CHIEF JUSTICE AND THE ASSOCIATE JUSTICES OF THE SUPREME COURT OF THE UNITED STATES:

Petitioner, Martha Jane Ford, a senior, disabled military veteran and sole caregiver for her elderly mother—the widow of another Vietnam veteran—respectfully moves for rehearing of the Court’s order dated November 10, 2025, denying her petition for a writ of certiorari. Petitioner proceeds pro se due to financial hardship and the inability to secure legal representation. The denial, issued on the eve of Veterans Day, has been a particularly painful blow—underscoring the profound emotional and practical hardship faced by those who have served this country and their families when seeking justice in our nation’s highest Court. This motion is timely filed within 25 days of the denial, pursuant to *Supreme Court Rule 44*, and is based on intervening circumstances of substantial and controlling effect, as well as other substantial grounds not previously presented.

This case is not only about the possible loss of a home based on corruption, but also about the integrity of the judicial process and the protection of vulnerable Americans from systemic, repeated fraud. If the Court does not reconsider, it will set a dangerous precedent, allowing the Respondent bank—already found liable for similar misconduct in other cases—to continue a pattern of not just predatory, but multi-layered fraudulent practices, including illegal refinancing, bait-and-switch loan agreements, wrongful foreclosures, and concealment of critical evidence. As detailed in the original petition, these practices began with Bank of America’s illegal refinancing and were subsequently perpetuated and escalated by Bank of New York Mellon, which acquired and aggressively enforced these defective loans. Both institutions have a documented history of collaboration and of being sued—and held liable—for related fraudulent mortgage activities and improper foreclosure tactics, including cases where Bank of New York Mellon served as trustee for Bank of America’s distressed loan portfolios. The combined effect

of these actions has been to strip countless homeowners—especially the most vulnerable—of their property, financial security, and access to justice, not only in Texas but nationwide. The evidence provided in the original writ and its appendix demonstrates that these banks have acted in concert, with Bank of New York Mellon routinely acquiring pools of problematic loans from Bank of America and pursuing foreclosure despite clear evidence of prior fraud or legal violations, a pattern recognized in multiple federal and state lawsuits.

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## **I. GROUNDS FOR REHEARING**

### **A. Failure to Consider Timely-Filed Corrective Motion (Supplemental Brief and Errata)**

After filing the original Petition, Petitioner discovered that several case law citations were inadvertently mock or illustrative cases. Acting in good faith, she immediately informed the court clerk and then prepared a Supplemental Brief and Errata with real, controlling authorities and submitted it via tracked delivery on October 30, 2025. The Supreme Court’s mail clerk verified delivery to the Clerk’s office on October 31, 2025—well before the November 7, 2025, conference. Despite daily follow-up calls and confirmation of receipt, the Supplemental Brief and Errata was never docketed or considered before the denial of certiorari.

**This constitutes a substantial procedural error and an intervening circumstance of controlling effect under *Supreme Court Rule 44*.** The missing document contained critical corrections, new controlling authorities, and clarifications directly relevant to the issues presented. The Court’s failure to consider this timely-filed corrective motion deprived Petitioner of a fair opportunity to present her case and correct the record.

*See Supreme Court Rule 44.2; Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944) (fraud on the court undermines the integrity of the judicial process).*

## **B. National Importance: Pattern of Bank Fraud and Systemic Barriers**

This case is emblematic of a broader, systemic issue: a pattern of fraudulent contracts and foreclosures by the Respondent bank, particularly in Texas. At least one other Texas homeowner has faced similar misconduct by the same bank, with her home recently repossessed despite a lower court order to return her deed. (See case number: 24-586, *Harriet Nicholson, Applicant v. Bank of New York Mellon, fka Bank of New York...*). The recurrence of such cases raises issues of national importance and judicial integrity, warranting Supreme Court review to prevent further harm to vulnerable homeowners and to uphold the rule of law.

Petitioner, as a pro se, disabled veteran and caregiver, faced extraordinary systemic barriers, including lack of access to legal resources, denial of accommodations, and procedural obstacles. The Fifth Circuit denied all motions for relief, including requests for reasonable accommodation, and failed to consider substantial evidence of fraud and attorney collusion. The Supreme Court's denial of certiorari, without consideration of the corrective motion, compounded these violations.

*See Tennessee v. Lane, 541 U.S. 509 (2004) (courts must ensure access for disabled litigants); Bounds v. Smith, 430 U.S. 817 (1977) (meaningful access to courts).*

## **C. Egregious Overpayment and Financial Harm**

Petitioner has paid approximately between \$300,000- \$350,000 or more for a home originally valued at \$115,000 in 2004 with a balance of approximately \$109,000, yet the bank continues to demand an additional \$300,000 plus penalties and court costs for a ten plus year period of

attempting to fight the fraudulent theft of my home. This is not only unconscionable, but also stark evidence of the predatory and fraudulent nature of the agreement at issue. A concise payment history spreadsheet is included as Appendix C, with full supporting bank records available upon request pursuant to *Fed. R. Evid. 1006*.

This newly organized and summarized evidence demonstrates the egregious overpayment and financial harm suffered by Petitioner, and supports the claims of fraud and unjust enrichment.

*See Mathews v. Eldridge, 424 U.S. 319 (1976) (due process requires meaningful opportunity to be heard); Bank of America Corp. v. City of Miami, 581 U.S. 189 (2017) (bank liability for discriminatory and fraudulent practices).*

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## II. SUMMARY OF ARGUMENT

- The Supreme Court's failure to consider the timely-filed Supplemental Brief and Errata constitutes a substantial procedural error and an intervening circumstance of controlling effect.
- The record contains clear and convincing evidence of fraud, coercion, and attorney misconduct, which were not fully considered due to procedural barriers and the missing corrective motion.
- The denial of due process and failure to accommodate Petitioner's disabilities and caregiving responsibilities raise issues of national importance and judicial integrity.
- The egregious overpayment and ongoing financial harm underscore the unconscionability of the agreement and the need for Supreme Court intervention.

- Rehearing is warranted to ensure the Court’s decision is based on a complete and accurate record, and to prevent manifest injustice.

### III. EVIDENCE SUMMARY AND AVAILABILITY

- **Tracking records and phone logs** confirm timely delivery and court receipt of the missing Supplemental Brief and Errata (see Appendix A).
- **A copy of the missing “Supplemental Brief and Errata to Correct Table of Authorities and Clarify Record”** (See Appendix B)
- **Mortgage payment records** (approximately \$300,000- \$350,000 paid on a \$115,000 home) are summarized in Appendix C and available for inspection upon request.
- **Attorney correspondence, mediation records, and court filings** document the pattern of fraud and collusion. (documented in the original writ of certiorari)
- **Affidavits and medical records** substantiate Petitioner’s disability and caregiving status. (documented in the original writ of certiorari with more present updates available upon request)

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### IV. LEGAL AUTHORITIES SUPPORTING REHEARING

Legal Issue	Key Precedent(s) & Standard
Fraud on the Court	Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944)
Extrinsic Fraud	United States v. Throckmorton, 98 U.S. 61 (1878)

Due Process/Access	Tennessee v. Lane, 541 U.S. 509 (2004); Bounds v. Smith, 430 U.S. 817 (1977)
Procedural Error	Fed. R. Civ. P. 60(b); Supreme Court Rule 44

## **V. REQUEST FOR RELIEF**

Petitioner respectfully requests that the Court:

1. **Grant rehearing and consider the timely filed Supplemental Brief and Errata**, which was delivered and verified received a week prior to the November 7, 2025, conference but not considered due to clerical error;
2. **Vacate the denial of certiorari and review the Petition in light of the corrected authorities and substantial new evidence;**
3. **Vacate the lower courts' judgments, declare the 2023 agreement void and unenforceable, and order the immediate return of Petitioner's home and deed as paid in full**—in light of the continuous pattern of fraud, attorney collusion, psychological coercion, and unconscionability; or, in the alternative, **remand for further proceedings with instructions to consider all evidence and provide reasonable accommodations for Petitioner's disabilities and caregiving responsibilities**; Reminding the lower courts, more accessible to Petitioner's travel time, of their duty to provide meaningful access to justice and reasonable accommodation to all litigants, especially those facing extraordinary hardship.
4. **Grant any further relief deemed just and proper to ensure a fair and meaningful review, and to protect the integrity of the judicial process for pro se, disabled, and veteran litigants nationwide**, including, if necessary, such orders as are required to fully

restore Petitioner to the status she would have occupied with all payments and penalties credited, but for the Respondent’s fraudulent conduct and the systemic failures below;

**5. In the alternative, and at a minimum, issue a six-month stay of all proceedings and enforcement actions pending in this matter.** Petitioner, proceeding pro se and without legal training or counsel, faces an exceptionally complex legal landscape and significant personal hardship. A stay is urgently needed to secure qualified legal representation, to evaluate and pursue next steps, and to protect Petitioner from immediate and irreparable harm—especially during the holiday period when courts and legal services are often unavailable. Without such protection, there is a substantial risk that Respondent’s counsel will exploit this vulnerable period to pursue a fraudulent foreclosure and irreparably deprive Petitioner of her home. This tactic has been proven in the history of this case. Granting a stay will ensure fairness and due process, consistent with the Court’s inherent authority to stay proceedings where justice so requires (*see Landis v. North American Co.*, 299 U.S. 248, 254-55 (1936)).

Petitioner respectfully requests that, should the Court deny all other relief, this minimum stay be granted to allow meaningful opportunity to obtain legal counsel and to avoid unjust loss of her home during this period of heightened vulnerability.

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## **VI. CERTIFICATION OF GOOD FAITH**

I, Martha Jane Ford, certify that this motion is presented in good faith and not for purposes of delay, and that the grounds stated herein are new and substantial, not previously presented.

Respectfully submitted,

S/ *Martha Jane Ford*

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December 03, 2025

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## **VII. PROOF OF SERVICE**

I certify that on December 03, 2025, a copy of this Motion for Rehearing and Appendices was served by either or both, USPS and email to Michael McKleroy and by email to Fred Ramon according to the attorney's last directions and the returned unclaimed notice previously sent to Fred Ramos.

Bank of New York Mellon, Trustee for CWABS, Inc. Asset-Backed Certificates, Series 2007-2

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## **VIII. APPENDICES**

**Appendix A:** Tracking Records and Phone Logs Confirming Timely Delivery of Supplemental Brief and Errata

**Appendix B:** A copy of the missing “Supplemental Brief and Errata to Correct Table of Authorities and Clarify Record”

**Appendix C:** Payment History Spreadsheet (Summary) With Pictures of Partial Mass Volume of Bank Records and mortgage payment notices/receipts (*Full bank records with verification available upon request by the Supreme Court pursuant to Fed. R. Evid. 1006.*)