

No: 25-5948 ORIGINAL

In the Supreme Court of the United States

JODY D KIMBRELL Petitioner

v.

POIPU HOLDINGS, LLC

FILED
AUG 18 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Carlos L. Javelera, Joan Javelera, Respondents

ON PETITION FOR A WRIT OF CERTIORARI TO
THE UNITED STATES SUPREME COURT FROM
THE NINTH CIRCUIT COURT OF APPEALS

PETITION FOR A WRIT OF CERTIORARI

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Petitioner/Pro Se

Questions Presented for Review

1. Under Federal Rule for venue change can Central District Court of California change rule procedures if plaintiff is pro se?
2. Can Ninth Circuit ignore District Court procedure 28 USC 1404(a) when all parties did not consent and due process FRCP 12 by ignoring 14 days for plaintiff pro se to oppose venue change?
3. Can Central District of California transfer case in alleged bias against a Pro se plaintiff when the only witness is an Illinois recorded deed remitted by the defendants/respondents into the case?
4. Can the defendant's California attorney fail to give notice of venue change to plaintiff pro se because he was hired as a US Attorney for the Northern District of California?
5. Can a defendants/respondents move case to Central District of Illinois, demands payment then denies lifting the prohibition after collecting the \$900 sanctions and barring plaintiff right to due process in a court of law?

(i)

I. Parties to Proceedings

Jody D Kimbrell, Petitioner

Poipu Holdings, LLC

Carlos L Javelera

Joan Javelera, Respondents

Ninth Circuit Court of Appeals,

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Table Of Authorities

Constitution, Statutes, and Rules

US Constitution

5th Amendment and

14th Amendment guarantees equal justice under law.

28 USC 1404(a)

FRCP 12

(1)

Petitioner Jody D Kimbrell respectfully
petitions for a writ of certiorari to review judgment
of United States Court of Appeals for Ninth Circuit
case presented.

Opinions Below

Opinions Court of Ninth Circuit Appeals 25-2483
(App. Pg 1)

Orders of Central District of California Court
24-00314 (App. Pgs. 2-7)
25-08590 (App. Pgs. 8-9)

Central District of Illinois
25-01147 (App Pgs. 10-14)

25-1147 Central Dist. Of Illinois order denying
lifting prohibition App Pgs. 15-21

Case 22-1401 Kimbrell vs Housing and Urban Dev.
Naming each cooperating RICO member stealing
from FHA mortgage program. Central Dist. of
Illinois dismissed case filed sanctions and barred
Kimbrell from filing in Court venue. App. Pgs. 22-35

(2)

Statement of Jurisdiction

Judgment of Ninth Circuit was entered May 20, 2025
Jurisdiction of this Court is invoked under 28 U.S.C.
1254(1).

Constitutional And Statutory Provisions Involved

Supremacy Clause of the United States Constitution
provides in pertinent part that "this Constitution,
and the Laws of the United States which shall be
made in Pursuance thereof * * *. shall be the
supreme Law of the Land."

U.S. Constitution contains two due process clauses: a
clause in the Fifth Amendment that applies to
federal government and a clause in Fourteenth
Amendment that applies to states.

(3)

Constitutional Statutory Provisions Lack Thereof

Procedural due process: steps that must be taken before government can remove life, liberty, property or deny due process.

Federal Rule 12

Ninth Circuit Decision

Ninth Circuit dismissed case 25-2483 for “petitioner failed to demonstrated right to Mandamus.” Central District of California allowed Defendants’ attorney to file change of venue under 28 USC 1404(a) without Plaintiff consent, moved case to Illinois without notice and did this action in 24 hours in opposition of FRCP 12 14-day rule Plaintiff has to oppose.

(4)

Statement of the Case

Cases involved Defendants taking possession of property not on their deed they filed into case that accepted venue of case was proper and jurisdiction of Central District of California 25-00314.

Plaintiff requested and was granted ADR. Settlement sent to Defendants. Defendants' attorney who was hired as a US attorney, filed and changed venue by US 1404(a) without Plaintiff consent. Court complied changing venue "for convenience of witnesses".

The only witness is a recorded deed, that did not have property Defendants took possession of and is owned by Plaintiff. No other witnesses are needed to be called.

(5)

Central District of Illinois 25-01147 has been dismissed until Petitioner pays a 3-year-old case 22-1401 an un-litigated attempt to file a RICO, Court dismissed in anger by a question Petitioner asked, imposed fee, sanctions and denial to file any future cases into Court.

If Federal Rules hold, Petitioner received August 13, 2025 order August 18, 2025 by mail and has 14 days to Motion to Reinstate case and pay the \$900 for fully briefed case 25-01147. Paid August 27, 2025

Relief Prayed For

Petitioner requests case be remanded back to Northern District of California, where Defendants'

(6)

counsel was hired as a US Attorney. He can proceed to ADR settlement under Federal oversight of Federal National Mortgage Assoc. (FNMA) predatory foreclosure of Plaintiff's LLC'S FNMA mortgage that included property, not on mortgage, owned by Petitioner, by alleged fraud and FNMA attorney misconduct.

Reason for Granting the Writ

US Constitution guarantees equal justice which Plaintiff has yet to benefit of this guarantee.

This Court guarantees all are granted equal justice under US Constitution.

Petitioner prays this honorable Court will review certiorari.

(7)

Conclusion

The petition for a writ of certiorari should be granted.

Respectfully remitted this October 15, 2025

"/s/" Jody D Kimbrell, Petitioner