

No. 25-6360

**In The
SUPREME COURT OF THE UNITED STATES**

FATIMA TOUIJER, et al.,

Petitioner

vs.

PROVIDENCE HOUSING AUTHORITY, et al.,

Respondents

On Petition for a Writ of Certiorari to the Supreme Court of Rhode Island

PETITION FOR A WRIT OF CERTIORARI FOR REHEARING

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QUESTIONS PRESENTED FOR REHEARING

1. Whether the Supreme Court of Rhode Island and the United States Courts of Appeals for the First and Fifth Circuits are in error in their consideration of the facts of the case that demonstrate Petitioner is a victim of racial, religious, and disability-based discrimination (Administrative Office of the U.S. Courts, n.d.);
2. Whether the lower courts' failure to consider critical evidence presented video and police reports in the evaluation of Petitioner's case constitutes a violation of the Due Process Clause of the United States Constitution under the Fourteenth Amendment (U.S. Congress, n.d.);
3. Whether the continued retaliatory actions of the Providence Housing Authority, including filing false complaints against Petitioner, are an intervening circumstance that warrants rehearing of the case under Rule 44 (Legal Information Institute, n.d.).

JURISDICTION

Petitioner seeks review of the order of the Supreme Court of Rhode Island entered on October 16, 2025.

The judgment of the Supreme Court of Rhode Island that was sought to be reviewed was the particular interlocutory order that was entered on October 16, 2025 in the case styled Fatima Touijer v. Providence Housing Authority, et al., Case No SU-2024-0313-A. This order is as a consequence of Petitioner's urgent motion filed on October 14, 2025.

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STATEMENT OF THE CASE

Fatima Touijer and her family resided in Newport Public Housing in the State of Rhode Island for approximately eleven years without incident or complaint. From 2007 through 2011, the family occupied a unit at Festival Field Apartments. From 2011 through October 2018, they resided at 38 Chapel Terrace, also within Newport Public Housing. During this entire period, no disputes were reported with neighbors, and no adverse actions were taken by the housing authority. The Newport Public Housing manager issued written confirmation stating that Ms. Touijer had no problems with neighbors or with the housing office during her tenancy.

Beginning in or about February 2021, Petitioner reports that neighboring tenants at the Providence property began engaging in conduct directed toward her and her family that she characterizes as harassment and intimidation. At that time, the family did not have a home surveillance system in place. As the reported incidents continued, Petitioner purchased and installed security cameras within and around the residence. Thereafter, she began documenting the conduct through video recordings. Petitioner states that the neighboring tenants were aware of the existence of these cameras, yet the alleged conduct continued notwithstanding the presence of recording devices.

Petitioner contacted the Providence Police Department on multiple occasions regarding the reported disturbances. After reviewing portions of the video recordings, Providence police officers prepared incident reports

documenting the complaints. According to Petitioner, officers advised her that matters relating to tenant conduct within public housing should be addressed by the Providence Housing Authority ("PHA"). Throughout this period, Petitioner continued to seek assistance through both law enforcement and housing management channels in an effort to obtain relief from the reported conduct. Providence Police officers documented complaints through incident reports after reviewing portions of the video recordings, and the housing authority received electronic copies of recorded materials as well as written communications describing the alleged disturbances. Petitioner maintains that, notwithstanding these efforts and repeated notifications, the underlying conditions remained unresolved and no sustained corrective measures were implemented. Petitioner relies upon documentary materials, police reports, written correspondence, and recorded video evidence in support of these factual representations, and she contends that these materials consistently demonstrate that she sought institutional assistance before pursuing judicial remedies.

Petitioner additionally states that certain neighbors directed statements toward her and her family, referencing their Muslim faith and mocking her disabled son, who has Down syndrome. By mid-2022, Providence Police officers contacted Providence Housing Authority management and recommended that the family be relocated due to safety concerns. Petitioner states that the adjoining tenant frequently played amplified music at elevated volume levels and hosted repeated gatherings that generated substantial noise, increased foot traffic, and vibrations that traveled through the shared structural components of the duplex. Petitioner represents that the vibrations were sufficiently pronounced to cause perceptible shaking within her unit. She further asserts that members of her household detected the odor of illicit drugs emanating from the adjoining premises. According to Petitioner, these conditions were not isolated or sporadic but occurred with regular frequency, including late evening and nighttime hours. She contends that the disturbances interfered with her children's sleep and daily functioning and disrupted their ability to complete schoolwork, with particular impact upon her son, who has Down syndrome and is sensitive to environmental instability and noise. Petitioner thus found herself

repeatedly directed between law enforcement and housing management without resolution.

Petitioner states that she and her husband contacted multiple attorneys in an effort to obtain legal representation for civil litigation arising from the alleged discrimination and harassment; however, she reports that no attorney agreed to accept the case. Having been unable to secure counsel, Petitioner proceeded without representation.

On June 3, 2024, Petitioner filed a pro se complaint in the Rhode Island Superior Court alleging racism, hate crimes, harassment, and related civil rights violations within Providence Public Housing. On September 18, 2024, the Rhode Island Superior Court entered an order dismissing or declining to consider the discrimination-based claims, treating the matter as a landlord-tenant dispute rather than as a civil rights action. Petitioner further asserts that during that discussion the Executive Director made statements indicating that the Commission's prior actions were influenced by broader administrative practices; however, the precise characterization of those statements is disputed and is presented here solely as Petitioner's account. Subsequent to that meeting, the Executive Director issued to Petitioner a "Notice of Right to Sue," authorizing her to pursue claims in state and federal court.

Petitioner filed an appeal to the Rhode Island Supreme Court seeking review of the Superior Court's dismissal. She contends that her appeal raised federal statutory and constitutional issues arising under the Fair Housing Act, the Americans with Disabilities Act, and related civil rights protections.

Petitioner alleges that the adjoining tenant at 68 Crandall Street regularly hosted gatherings characterized by amplified music, substantial foot traffic, prostitution, and verbal confrontations. She asserts that the volume of the music generated vibrations sufficient to be felt within her unit and that the frequency of these gatherings interfered with her family's sleep and daily functioning.

In addition to the interpersonal disputes described above, Petitioner raises concerns regarding the physical condition of the duplex unit at 70 Crandall Street. She asserts that the gas heating system within her unit has remained

defective and that repeated requests for repair have not resulted in permanent remediation. Petitioner further represents that a substantial crack exists in the foundation wall of the basement and that during periods of heavy rainfall the basement area becomes flooded with water. She states that she has notified housing management of these structural concerns since her relocation to the duplex in October 2022 and that corrective measures have not been completed. Petitioner additionally asserts that annual inspections by federal or public housing inspection authorities have not been conducted at her duplex since her occupancy began in October 2022. She contrasts this with her prior experience in Newport Public Housing, where she states that annual inspections were conducted regularly during her tenancy beginning in 2011.

Petitioner maintains that the matter underlying these proceedings concerns allegations of racism, hate-based hostility, and discriminatory treatment rather than a routine landlord-tenant disagreement over lease compliance. She asserts that her repeated complaints to Providence Public Housing involved allegations of harassment motivated by race, religion, and disability, and that such allegations were not addressed through formal enforcement action against the individuals identified in her complaints. On or about July 15, 2025, Petitioner and her family traveled to the United States-Canada border seeking information regarding the availability of protective or asylum-related measures. Petitioner states that Canadian customs and border personnel reviewed Rhode Island court documents she presented and informed her that both the United States and Canada are considered safe countries. According to Petitioner, she was advised that as a United States citizen she should pursue relief through the judicial system of the United States, including by petitioning the Supreme Court of the United States in Washington, D.C.

Petitioner reports that, following that exchange, she and her family did not remain in Canada and instead traveled to the State of New Jersey in an effort to obtain temporary assistance. Petitioner states that she sought support from the New Jersey Department of Human Services and requested emergency housing assistance. She presented Rhode Island court documents and related materials to officials in that jurisdiction. According to Petitioner, New Jersey

officials informed her that Providence Housing Authority did not possess lawful grounds to evict her based on the documentation presented. Petitioner further alleges that on February 25, 2026, at approximately 7:00 p.m., individuals she identifies as Providence Housing Authority security personnel came to her residence wearing attire resembling Providence Police Department uniforms. Petitioner asserts that these individuals engaged in conduct she perceived as threatening. She states that she immediately contacted the Providence Police Department and that, upon hearing her telephone communication with police dispatch, the individuals departed the premises prior to the arrival of responding officers. Petitioner further represents that similar incidents involving individuals identified as housing security personnel occurred previously on or about May 30, 2025, and September 21, 2025. According to Fatima, the Commission's Executive Director, Michael D. Evora, revealed that the Governor of Rhode Island had directed him to provide "no probable cause" decisions in 60% of instances, including hers. The integrity of Rhode Island's human rights protection procedure and institutional bias are seriously questioned if this information is accurate.

I. GROUNDS FOR REHEARING

Under Rule 44.2, this Petition for Rehearing is submitted to the Supreme Court of the United States. The Supreme Court's denial of Petitioner's request for certiorari did not fully consider all of the aspects of the record that relate to the rights of Petitioner. Furthermore, additional facts that relate to the case and the harm that has continued to be suffered by Petitioner and her family since

that decision have emerged. These aspects of the case are an intervening circumstance within the meaning of Rule 44, and, therefore, warrant consideration of this Petition by the Supreme Court of the United States.

The critical evidence that relates to Petitioner's case, including the video and police reports and the medical documentation regarding the harm to Petitioner's disabled child, was not considered by the lower courts in the decision of this case. The lower courts' failure to consider this evidence is a violation of the Due Process Clause of the Constitution of the United States.

The lower courts incorrectly characterized this case as a landlord-tenant dispute. Rent payments have always been made by Petitioner in accordance with the terms of the lease agreement, and Petitioner has no issues with tenancy. The issues that exist are related to discrimination against Petitioner on the basis of race, religion and disability, as well as the failure of the Providence Housing Authority to protect Petitioner from these types of actions.

This case is, therefore, one of continued violations of federal law, including the Fair Housing Act, the Americans with Disabilities Act, and the Fourteenth Amendment to the Constitution of the United States. Each of the issues discussed in this Petition for Rehearing justify the Supreme Court's consideration of this case.

II. INTERVENING CIRCUMSTANCES AND NEW EVIDENCE

Since the Supreme Court of Rhode Island's denial of Petitioner's requests for certiorari on February 23, 2026, there have been significant events to occur in relation to Petitioner.

On March 4, 2026, the Providence Housing Authority sent Petitioner a fourth notice of non-compliance with the terms of the lease agreement.

On April 8, 2026, the Providence Housing Authority filed a false complaint against Petitioner and her family in the Superior Court in Rhode Island.

These actions raise the following issue for consideration by the Supreme Court of the United States and the Supreme Court of Appeals of Rhode Island:

Why are Petitioner's cases (Nos. 2024-313-A and 2024-348-A) being denied, while the Respondents are allowed to file false complaints against Petitioner and her family?

III. MISAPPREHENSION OF FACTS AND LAW

The lower courts' mischaracterization of the case as a landlord-tenant dispute is a misapprehension of both the facts of the case and the law that relates to the case. The lower courts' misapplication of the law to a case that is actually founded upon federal civil rights law indicates the incorrect consideration of the federal claims in such a case. Petitioner has fulfilled each of her lease obligations to the landlord; she has paid for her rent in full each year. Therefore, there are no reasons to consider this case as one that arose from a tenant's failure to meet any of those lease obligations. Instead, the facts of the case are that other tenants have committed various acts of racial and religious discrimination against Petitioner and her family (especially those of a Muslim religion), as well as acts that have harmed her child that has Down syndrome. Additionally, the other tenants in the area have engaged in behavior that has led to Petitioner and her family feeling harassed and uncomfortable in their home.

Because the facts of the case relate to actions that are discriminatory and that have caused damage to the Petitioner and her family, this case relates to federal civil rights law. Because the lower courts disregarded these facts and the law that relates to those facts, the lower courts did not consider the federal claims of the Petitioner in the determination of the case. The misapprehension of the facts and the law in this case is, therefore, another reason to grant rehearing to the lower courts.

IV. DENIAL OF DUE PROCESS

In determining this Petitioner's case, the Rhode Island courts did not consider several pieces of critical evidence that related to the facts of the case. Such excluded evidence includes, but is not limited to, the videos that show the harassment within the residence, the police reports of those acts, and the medical documents that indicate the impact of such harassment upon the child

with Down syndrome. Each of these pieces of evidence was crucial to understanding the harm that was committed against Petitioner, yet it was ignored by the lower courts.

Because the lower courts did not consider this critical evidence, the facts of the case were not properly presented to the lower courts. As a result, the decisions of those courts were based upon an incomplete consideration of the facts. Such a failure to consider crucial evidence is a denial of due process for a federal claimant. Due process requires that a person be given a fair hearing. In this case, the federal claimant was not afforded such a hearing. Additionally, the Rhode Island Supreme Court also denied this case without holding a hearing or providing a reason for the denial of the case. The lack of hearing and explanation for the decision is another denial of due process for such a federal claimant. The denial of due process to this Petitioner is, therefore, another reason to grant the request for rehearing to the lower courts.

V. RETALIATION AND ABUSE OF AUTHORITY

The relocation of Petitioner from Bodell Avenue to Crandall Street was only performed following intervention by the police in regard to the safety of Petitioner and her family. Nevertheless, the Housing Authority has failed to take any appropriate or effective measures to ensure the safety of Petitioner after such relocation.

The actions of the Housing Authority appear to be retaliatory and abusive of their position and authority over Petitioner. Petitioner has made repeated reports to the Housing Authority of the harassment, noise, threats and other bad and harmful behaviors of the other tenants that live in the building (JibuDocs, n.d.). These reports have been supported by evidence. Nevertheless, the Housing Authority has failed to take any action to mitigate these issues against Petitioner.

Furthermore, the Housing Authority has issued various notices to Petitioner of non-compliance with the terms of her tenancy lease, which threatens to evict Petitioner from the apartment. These notices were issued despite the fact that Petitioner has been current in her rental payments and has

complied with all tenancy requirements. These actions appear to be retaliatory towards Petitioner in response to the complaints that Petitioner has made regarding other tenants.

Additionally, the Housing Authority has filed accusations against Petitioner without presenting any evidence for those claims. Petitioner denies all accusations that have been made against her and her family. The other tenants live in Petitioner's building and she has experienced harassment and potentially other unlawful activity from those tenants, all of which has been brought to the attention of the Housing Authority and the police.

The Housing Authority has yet to present any evidence in support of their accusations against Petitioner. As a result, Petitioner is suffering the consequences of actions that others have committed, while those others are permitted to remain in the apartment with no corrective action being taken by the Housing Authority.

WHEREFORE, Petitioner requests that the Respondents be required to produce any evidence in support of their accusations against Petitioner. The failure of the Respondents to provide such evidence, along with the acts that are retaliatory towards Petitioner, indicates the abuse of authority of the Respondents towards Petitioner.

VII. FAILURE OF STATE REMEDIES

Petitioner made significant efforts to seek relief from the federal courts through all available state remedies. Such efforts included filing complaints with the Rhode Island Commission for Human Rights, filing in the Rhode Island Superior Court, and seeking review of that decision on appeal from the Rhode Island Supreme Court (State of Rhode Island, n.d.). Despite these efforts, relief was denied to Petitioner.

Petitioner presented evidence of discrimination, harassment, and harm to her family (including her disabled child) to the Rhode Island Commission for Human Rights. Based on this evidence, the Commission determined that there was no probable cause to believe that any of these claims had occurred. The decision of the Commission was made without providing a thorough review of the

evidence presented to the Commission, and without accepting Petitioner's efforts to provide additional evidence supporting her claims.

Petitioner presented the same evidence to the Superior Court. The Superior Court declined to consider some of the evidence that was critical to establishing Petitioner's claims (including evidence of the discrimination she experienced), and mischaracterized the nature of the case to the Supreme Court as a landlord-tenant dispute. Consequently, the Superior Court rendered a decision that was based upon an incorrect understanding of the issues in the case.

Petitioner petitioned the Rhode Island Supreme Court to review the decision of the Superior Court. The Supreme Court denied Petitioner review of the case, and provided no hearing or explanation for the Supreme Court's decision.

The state court system, therefore, rejected review of Petitioner's claims, despite the presentation of evidence in support of those claims. In each level of review, the courts either failed to consider critical evidence presented to the courts, or mischaracterized the nature of the claims that were being made by Petitioner. Thus, Petitioner was denied an effective remedy in the state court system, which is an essential element of the requirement to seek review on federal claims in the federal courts.

VIII. FEDERAL IMPORTANCE

There are several important federal issues that arise in this case that deserve the consideration of this Court. Most notably, the case presents issues regarding the enforcement of the Fair Housing Act, and whether the public housing authorities were fulfilling their legal obligations to the tenants who lived within those properties (U.S. Department of Justice, Civil Rights Division, n.d.). The facts of the case reveal, for instance, that the public housing authorities failed to take steps to address the discrimination against Petitioner and her child based upon their religion and national origin, and provided little intervention in the face of the harassment that emerged within the community.

In addition to the issue of discrimination, the case also raises issues regarding the Americans with Disabilities Act and the rights of individuals with disabilities to live within housing that is free from conditions that may negatively impact their disabilities. Petitioner's child, who has Down syndrome, has been directly and adversely affected by the conditions within the housing. Moreover, issues arise under the Constitution, specifically the Fourteenth Amendment. The federal courts refused to consider critical evidence in the case, and the summary dismissal of the case without explanation presents concerns of a lack of due process and equal protection of the laws for Petitioner.

Furthermore, another issue that arises out of this case is with the accountability of public housing authorities. Such authorities have a legal obligation to protect the individuals who live within those properties, and to ensure that they do not engage in any activities that may suggest to those tenants of a violation of their rights. Overall, then, there are significant federal issues within this case that relate to the rights of all individuals with disabilities and the Constitution, and that present issues of accountability of the public housing authorities. Thus, reconsideration of this case by this Court is warranted to ensure that the federal laws are properly enforced.

IX. CONCLUSION AND PRAYER FOR RELIEF

For the reasons stated above, the Petitioner is of the belief that she has met each of the requirements for granting of rehearing to the Court under Rule 44.2 of the Rules of this Court. The circumstances that have arisen following the Court's initial decision have led to further harm to the Petitioner and her family. Each of these factors indicate that the issues that still exist within the case for the Petitioner are still unresolved and continue to threaten her.

References

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No. 25-6360

IN THE
SUPREME COURT OF THE UNITED STATES

FATIMA TOUIJER, et al — PETITIONER
(Your Name)

VS.

PROVIDENCE HOUSING AUTHORITY, et al — RESPONDENT(S)

PROOF OF SERVICE

I, FATIMA TOUIJER, do swear or declare that on this date, _____, 20____, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to 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 each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

PROVIDENCE HOUSING AUTHORITY
100 BROAD STREET PROVIDENCE, RI 02903-4129

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

Executed on 03/23/2026, 20____

X FAT 2
(Signature)

**Additional material
from this filing is
available in the
Clerk's Office.**