

26-5642 ORIGINAL
No..

IN THE
SUPREME COURT OF THE UNITED STATES OF AMERICA
WASHINGTON, D. C. 20543

IN RE: **LEONARD NYAMUSEVYA,**

Petitioner.

JUN 02 2026

OFFICE OF THE CLERK
SUPREME COURT, U.S.

ON PETITION FOR A WRIT OF MANDAMUS OR PROHIBITION
DIRECTED TO 7TH CIRCUIT COURT OF APPEALS:

MICHAEL Y. SCUDDER, *Circuit Judge*
AMY J. ST. EVE, *Circuit Judge*
NANCY L. MALDONADO, *Circuit Judge*

AND

HONORABLE JUDGE EDMOND E. CHANG
OF U.S. FEDERAL DISTRICT COURT OF
NORTHERN DISTRICT OF ILLINOIS

Respondent-Defendants.

Leonard Nyamusevya
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Petitioner *pro se*

Michael Y. Scudder, *circuit judge*
Amy J. St. Eve, *circuit judge*
Nancy L. Maldonado, *circuit judge*
Honorable Judge Edmond E. Chang

QUESTIONS PRESENTED

1. Under the due process and equal protection under the law rights and justice for all; thus, Petitioner is entitled to the protection under the Court's decision in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), to give back and restore to Petitioner his real property, which was taken on 11/29/2022, without compensation.
2. Following the Court's decision in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), under the due process and equal protection under the law rights and justice for all; thus, Petitioner is entitled to the protection under the U.S. Supreme Court's decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), to set aside the 11/29/2022, “taking” of Petitioner's real property that is located at 2064 Worchester Court, Columbus, Ohio 43232, which was “taken” without compensation, and without any mandatory and statutory required “Final Judicial Report” under Ohio Revised Code: O.R.C. § 2329.191(B)(7); and without any mandatory and statutory required and perfected “Certificate of Judgment or a Certified Copy of Judgment” under O.R.C. § 2329.02(H).
3. Following the U.S. Supreme Court's decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), under the due process and equal protection under the law rights and justice for all; thus, Petitioner is entitled to the U.S. Supreme Court to order the 7th Circuit Court of Appeals and the U.S. Federal District Court of Northern District of Illinois to set aside the 11/29/2022, “taking” of Petitioner's real property, and to expeditiously give back and restore to Petitioner his real property. *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823).
4. A “Supplemental Final Judicial Report” (Exhibit 7) attached in Appendix D is unconstitutional, wrongful, discriminatory, unlawful, draconian and unauthorized under the whole of American laws and statutes; consequently, the 11/29/2022, enforcement of the Supplemental Final Judicial Report against Petitioner and his real property, to usurp, seize, deprive, confiscate and “take” Petitioner's real property without compensation is a prohibited “taking” in violation of the 5th Amendment Taking Clause and the 14th Amendment to U.S. Constitution, and a violation of Petitioner's protected federal constitutional right.
5. The 11/29/2022, prohibited “taking” of Petitioner's real property without compensation, in violation of the 5th Amendment Taking Clause and the 14th Amendment to U.S. Constitution is “unamerican,” unconstitutional and prohibited. Where all other Courts failed to give back to Petitioner his real property; therefore, based on the attached evidentiary facts, existing federal laws and statutes, appellate Courts' precedents, and the 5th and 14th Amendments to U.S. Constitution, the U.S. Supreme Court should restore and give back the real property to Petitioner. *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823).

6. Petitioner's son: Former U.S. Marine Simeon Underhill Bihesi, was wrongfully killed on 09/02/2024, in Cook County, in Forest Park, in Chicago, in the State of Illinois, as a direct and proximate cause of Defendants; thereafter, Petitioner is continuously hunted down to be killed by Defendants. Petitioner demands the U.S. Supreme Court to follow in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), to give back and restore to Petitioner his real property. *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019).

7. The Supreme Court of the United States is the highest Court of last resort in the federal and civil judiciary system of the United States of America. It has ultimate appellate jurisdiction over all U.S. Federal Courts' cases, and over all States Courts cases that turn on questions of U.S. constitutional or federal laws and statutes. It also has original jurisdiction over extraordinary writs, and those cases in which a State shall be Party. The lower Federal Courts lacked the power to disregard, ignore and reject that most importantly and of a particular regard, in 1803, the U.S. Supreme Court asserted itself the power of judicial review, the ability to invalidate a statute for violating a provision of the U.S. Constitution.

8. In this case at bar, an invalid, draconian, under color of state law, wrongful, prejudicial, discriminatory, unauthorized, fabricated, unlawful and unconstitutional "Supplemental Final Judicial Report;" which was enforced on 11/29/2022, against Petitioner and his now deceased son, nullified and invalidated the U.S. and Ohio Constitutions and federal and Ohio laws and statutes, and O.R.C. § 2329, et seq., and violated a provision of the U.S. and Ohio Constitutions and Bankruptcy Act.

9. There is no authority in the United States Supreme Court precedents and in the Supreme Court of Ohio's precedents to rewrite the Ohio statute O.R.C. § 2329.02(H) (Exhibit 10) attached in Appendix D, and O.R.C. § 2329.191(B)(7) (Exhibit 11) attached in Appendix D, known as Ohio Revised Code to allow the 11/29/2022, enforcement of an invalid, draconian, unlawful, prejudicial, wrongful, under color of state law, fraudulent, fabricated, discriminatory, malicious, reckless, unauthorized and unconstitutional "Supplemental Final Judicial Report" (Exhibit 7) attached in Appendix D, against Petitioner and his son.

10. Currently, in the U.S. Supreme Court, each justice has a single vote in deciding the cases argued before the Court. When in the majority, the Chief Justice decides who writes the opinion of the Court; otherwise, the most senior justice in the majority assigns the task. In *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), the Chief Justice was assigned to write the opinion of the Court, and kept undisturbed the Court's decision in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), to set aside the 11/29/2022, "taking" of Petitioner's real property; and to order the 7th Circuit Court of Appeals and the U.S. Federal District Court to restore and give back to Petitioner his real property; thus, the 7th Circuit Court of Appeals and the U.S. Federal District Court must comply.

11. The U.S. Supreme Court plays a very important role in our constitutional system of government. First, as the highest court in the land, it is the Court of last resort for Petitioner and those looking for justice. Second, due to its power of judicial review, it plays an essential role in ensuring the equal protection under the law and justice for all. Third, it protects civil rights and liberties by striking down laws that violate the U.S. Constitution. The unauthorized and unconstitutional "Supplemental Final Judicial Report" violates the U.S. and Ohio Constitutions.

12. The U.S. Supreme Court had decided whether an Act of U.S. Congress or U.S. Constitution was the supreme law of the land. The Judiciary Act of 1789 gave the U.S. Supreme Court original jurisdiction to issue writs of **Mandamus** (legal orders compelling government officials to act in accordance with the law). The U.S. Supreme Court's precedents are the law of the land. Defendants' 11/29/2022, under color of state law, invalid, draconian, unconstitutional, discriminatory, prejudicial, unlawful, wrongful, unauthorized and lawless enforcement of the "Supplemental Final Judicial Report" against Petitioner and his son is an unconstitutional act not in accordance with the law, and violates the U.S. and Ohio Constitutions.

13. The lower Federal Courts lack the power to ignore, reject, refute, contradict, contravene and disregard that today, in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) and *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823) are guiding, binding, instructive and controlling law of the land and precedents.

14. The U.S. Supreme Court established that any act that is contrary to the U.S. Constitution could not stand. Defendants' 11/29/2022, enforcement of wrongful, draconian, under color of state law, discriminatory, unconstitutional, fabricated, unlawful, prejudicial and unauthorized "Supplemental Final Judicial Report" is an act that is contrary to both the U.S. and Ohio Constitutions and cannot stand; hence, the U.S. Supreme Court established its authority to strike down Ohio laws found to be in violation of the U.S. Constitution. Defendants' "Supplemental Final Judicial Report" is in violation of the 14th Amendment to U.S. Constitution and cannot be enforced against Petitioner and his real property.

15. While entering its decision, on 04/06/2026, the 7th Circuit Court of Appeals (see Appendix A) knew, should have known and disregarded the Court's decision in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), and the 5th and 14th Amendments to U.S. Constitution and the instructive, binding and controlling U.S. Supreme Court's precedents in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), which was decided on 06/21/2019; and in *Cedar Point Nursery*, et al. v. *Hassid*, et al., 594 U. S. ____ (2021), which was decided 06/23/2021, which protect and guaranty Petitioner's protected federal right to real property ownership, and which "cannot" be discriminatorily and prejudicially taken away or deprived to affect Petitioner, in violation of Petitioner's protected federal right.

16. While entering its decision, 04/03/2026, the U.S. Federal District Court (see Appendix B) knew, should have known and disregarded the Court's decision in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), and the 5th and 14th Amendments to U.S. Constitution and the instructive, binding and controlling U.S. Supreme Court's precedents in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), which was decided on 06/21/2019; and in *Cedar Point Nursery*, et al. *v. Hassid*, et al., 594 U. S. ____ (2021), which was decided 06/23/2021, which protect and guaranty Petitioner's protected federal right to real property ownership, and which "cannot" be discriminatorily and prejudicially taken away or deprived to affect Petitioner, in violation of Petitioner's protected federal right.

17. Therefore, to block prejudicially, unconstitutionally and discriminatory racial injustice against Petitioner under the rule of law and based on the evidentiary facts in the records; thus, being the highest Court of last resort, the U.S. Supreme Court should enter a Decision to expeditiously restore and give back to Petitioner his real property, in aid to its jurisdiction, see *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), or alternatively should Order the 7th Circuit Court of Appeals and the U.S. Federal District Court of Northern District of Illinois to expeditiously restore, return and give back to Petitioner his real property, in aid to its jurisdiction. Petitioner will "indefinitely" appear and fight before the U.S. Supreme Court "until" the U.S. Supreme Court restores, returns and gives back to Petitioner his real property, in aid to its jurisdiction. *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823).

18. Defendant First American Title Insurance Company is a resident of the State of Illinois; consequently, Petitioner is entitled the right to sue Defendants in the State of Illinois. The 7th Circuit Court of Appeals' 04/06/2026, decision (see Appendix A), and the U.S. Federal District Court's 04/03/2026, decision (see Appendix B) contradict, reject, disregard, contravene, ignore and conflict with the U.S. Supreme Court's decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) and the Court's decision in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823); consequently, Petitioner lacks any adequate remedy in the ordinary course of the law.

19. Petitioner's real property was fraudulently, wrongfully, under color of state law, discriminatorily, prejudicially and unconstitutionally "taken" without compensation, on 11/29/2022, in violation of the 5th Amendment Taking Clause, to cause the 09/02/2024, wrongful death of Petitioner's son (Appendix E), in Chicago; therefore, following the Court's decision in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823) and observing the Court's decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), the U.S. Supreme Court established a precedent of last resort as follows:

If a government took property without payment, a court would set aside the **taking** because it violated the Constitution and order the property restored to its owner... Antebellum courts, which had no means of compensating a property owner for his loss, had no way to redress the violation of an owner's Fifth Amendment rights other than ordering the government to give him back his property. See *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823)

20. In *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), the definition of the word “Court” in the statement: “a court would set aside the **taking** because it violated the Constitution and order the property restored to its owner” include all Courts in the United States of America, including the U.S. Supreme Court; thus, in aid of its jurisdiction by observing in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), the U.S. Supreme “Court” is the highest Federal Court of last resort and can nullify and set aside the 11/29/2022, unconstitutional **taking** of Petitioner’s wholly satisfied, paid off entirely, unmortgaged and unencumbered private residential real property (Exhibit 8) attached in Appendix D, because it violated the Constitution and order the property restored to Petitioner.

21. On Mandamus in this case at bar; thus, in aid of its jurisdiction by observing in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), the U.S. Supreme Court “would set aside the 11/29/2022, “**taking**” of Petitioner’s wholly satisfied, paid off entirely, unmortgaged and unencumbered private residential real property, without compensation in violation of the 5th Amendment Taking Clause and the 14th Amendment to U.S. Constitution, and Bankruptcy and Federal laws and statutes, and Ohio Constitution and O.R.C. § 2329, et seq., O.R.C. § 2329.02(H), O.R.C. § 2329.191(B)(7), 11 U.S.C. § 524(a) and Petitioner’s protected federal constitutional rights, because it violated the Constitution and order the property restored to Petitioner.

22. On 11/29/2022, Defendants under color of state law, unlawfully, wrongfully, discriminatorily, extra-judicially, prejudicially, maliciously and unconstitutionally extinguished the U.S. Constitution, and Ohio Constitution, and existing Bankruptcy and Federal laws, Rules and statutes, and Bankruptcy Act, and Ohio statutes, and extinguished Petitioner’s 11/21/2019, Bankruptcy Court Injunction Order of Discharge (Exhibit 1) attached in Appendix D, and Bankruptcy protection and relief for a fresh start, and violated Petitioner and his son’s protected federal constitutional rights, and violated the 5th Amendment Takings Clause, for Defendants’ unlawful money laundry and unlawful financial enrichment, to “**take**” and defraud 100% of the value of Petitioner’s satisfied private real property.

23. On Mandamus in this case at bar; thus, in aid of its jurisdiction by observing in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), the U.S. Supreme Court “would expeditiously order Petitioner’s real property restored to Petitioner” by law.

24. The attached evidentiary facts “correctly, incontrovertibly, convincingly, conspicuously and unambiguously” substantiate that on 11/29/2022, Defendants enforced against Petitioner an invalid, discriminatory, unauthorized, fabricated, draconian, wrongful and unconstitutional “Supplemental Final Judicial Report” to usurp, seize, **take**, deprive and confiscate Petitioner’s wholly satisfied, paid off entirely, unmortgaged and unencumbered private residential real property without compensation, in violation of the U.S. Constitution and the Ohio Constitution and O.R.C. § 2329, et seq., O.R.C. § 2329.02(H) and O.R.C. § 2329.191(B)(7), and Petitioner’s protected federal 5th and 14th Amendments to U.S. Constitution right. *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); *Cedar Point Nursery, et al. v. Hassid, et al.*, 594 U. S. ____ (2021).

25. The 7th Circuit Court of Appeals and the U.S. Federal District Court of Northern District of Illinois are prohibited and lack the power to disregard and reject that observing the decision in *Knick v. Township of Scott*, 588 U. S. ____ (2019); thus, Petitioner is not required to exhaust state court remedies to ripen federal takings claims. In aid of its jurisdiction, the U.S. Supreme Court should issue Mandamus or Prohibition for Defendants to be properly before the U.S. Federal District Court of Northern District of Illinois, and for Petitioner to amend his Complaint, for serving Defendant First American Title Insurance Company at its business mailing address in the State of Illinois.

26. The 7th Circuit Court of Appeals and the U.S. Federal District Court are prohibited and lack the power to disregard and reject the U.S. Supreme Court’s decision in *Knick v. Township of Scott*, 588 U. S. ____ (2019). Chief Justice John Glover Roberts Jr., delivered the opinion of the U.S. Supreme Court in *Knick v. Township of Scott*, 588 U.S. 180 (2019), and decided that Petitioner can bring Fifth Amendment Takings Clause claims (Exhibit 2) attached in Appendix D, directly to U.S. Federal District Court of Northern District of Illinois.

27. The 5-4 decision eliminated the requirement that owners first exhaust state court remedies; thus, observing the Court’s decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), meritoriously in favor of Petitioner, the U.S. Supreme Court established a patently and unambiguously binding, controlling, and instructive precedent that the elected officials for the government are liable for violating the 5th Amendment to U.S. Constitution, which decided as follows:

A “**government**” violates the Takings Clause when it “**takes**” property without compensation, and a “**property owner may bring**” a Fifth Amendment claim under 42 U.S.C. § 1983 at that time. Pp. 5–20.

28. On 11/29/2022, Defendants corruptly, under color of state law, prejudicially, extra-judicially, unconstitutionally, unlawfully, recklessly, discriminatorily and wrongfully “**dispatched**” five heavily armed sheriff deputies to forcibly breaking

and entering into Petitioner's private residential real property, to **kill** Petitioner and his son upon a physical contact, and "usurp, seize and **take**" Petitioner's real property without compensation, against Petitioner's wish and against his right to exclude, and in violation of the 5th Amendment Taking Clause, and in violation of the 14th Amendment to U.S. Constitution and the Ohio Constitution, and in violation of Petitioner's protected federal constitutional right to life, possess, live and occupy his real property and right to real property ownership, and in violation of Petitioner's Bankruptcy protection and relief for a fresh.

29. Thereafter, on 11/29/2022, Petitioner escaped being killed by Defendants, and fled to Illinois, and was barred to seek Mandamus in Ohio after suffering a **taking** without compensation. Citing a Supreme Court of Ohio's precedent, the U.S. Supreme Court mentioned in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) that a property owner in Ohio "must seek" a writ of **Mandamus** first and held as follows:

A property owner in Ohio who has suffered a taking without compensation must seek a writ of mandamus to compel the government to initiate condemnation proceedings. See, e.g., *State ex rel. Doner v. Zody*, 130 Ohio St. 3d 446, 2011-Ohio-6117, 958 N. E. 2d 1235.

30. The 7th Circuit Court of Appeals and the U.S. Federal District Court are prohibited and lack the power to disregard that on 04/30/2026, Petitioner discovered that Defendant First American Title Insurance is a resident of the State of Illinois, and made on 06/10/2020, a Supplemental Final Judicial Report in the State of Illinois, which injured Petitioner on 11/29/2022, and caused the 09/02/2024, wrongful death of Petitioner's son (see Appendix E), in Cook County, in Forest Park, in Chicago, in the State of Illinois; consequently, Petitioner cannot return to the State of Ohio if Mandamus or Prohibition is not issued by U.S. Supreme Court.

31. Consequently, Petitioner will be killed in the event he returned to his private real property in the State of Ohio; hence, based on the evidentiary facts in the records and Petitioner's truthful allegations; thus, the U.S. Supreme Court should issue Mandamus or Prohibition in aid of its jurisdiction by upholding the U.S. Constitution and its precedents, for Petitioner to go back to his real property in the State of Ohio, which is located at 2064 Worchester Court, Columbus, Ohio 43232.

32. The 7th Circuit Court of Appeals and the U.S. Federal District Court of Northern District of Illinois are prohibited and lack the power to disregard that elected officials Defendants enforced on 11/29/2022, an invalid Supplemental Final Judicial Report against Petitioner and took Petitioner's real property without compensation in violation of the Fifth Amendment's Takings Clause of the U.S. Constitution, and 11 U.S.C. § 524(a)(1) and (a)(2), O.R.C. § 2329, et seq., O.R.C. § 2329.02(H) and O.R.C. § 2329.191(B)(7).

33. The 7th Circuit Court of Appeals and the U.S. Federal District Court are prohibited and lack the power to disregard that Petitioner was discharged in Bankruptcy on 11/21/2019, and was shielded by his Bankruptcy protection and Bankruptcy relief for a fresh start. See in *Pavelich v. McCormick, Barstow, Sheppard, Wayte & Carruth LLP* (In re *Pavelich*), 229 B.R. 777, 783 (9th Cir. BAP 1999); and are prohibited to disregard that on 11/29/2022, Defendants lacked a mandatory and statutorily required "Final Judicial Report" under O.R.C. § 2329.191(B)(7), and lacked a mandatory and statutorily required "Certificate of Judgment or a Certified Copy of Judgment" under O.R.C. § 2329.02(H), and lacked an *in rem* judgment or decree against Petitioner's property, and confiscated and "took" Petitioner's real property in violation of the 5th Amendment Taking Clause.

34. On the issue of elected government officials Defendants' lack of qualified immunity, on 05/22/2026, the 6th Circuit Court of Appeals in denying qualified immunity to police officers decided in *Marvin D. Cotton; Anthony Legion v. Donald Hughes; Walter Bates, et al.* No. 25-1201 as follows:

And a public official is entitled to qualified immunity "when, viewing the facts in the light most favorable to the plaintiff, the challenged conduct did not violate clearly established constitutional rights 'of which a reasonable person would have known.'" Id. at 535 (quoting *Jackson v. City of Cleveland*, 64 F.4th 736, 745 (6th Cir. 2023)). The plaintiff therefore overcomes a qualified immunity defense by showing (1) the official violated a constitutional right, and (2) the right was clearly established at the time of the alleged violation. Id.

35. The 7th Court of Appeals' 04/06/2026, decision and the U.S. Federal District Court's 04/03/2026, decision established a flagrant departure from appellate Courts' binding and controlling precedents by clearly and extra-judicially deviating from established U.S. Supreme Court precedents, and conflicted with the 6th Circuit Court of Appeals' 05/22/2026, decision in *Marvin D. Cotton; Anthony Legion v. Donald Hughes; Walter Bates, et al.* No. 25-1201, on the issue of enforcement and unavailability of the 11th Amendment immunity from prosecution, for violation of protected federal constitutional rights; therefore, this case at bar has national significance of public interest in the right to real property ownership, by blocking the violation of the 5th Amendment Taking Clause, the 14th Amendment to U.S. Constitution and the U.S. Constitution, and harmonizes conflicting decisions in the federal courts, and has a precedential value.

36. Under 28 U.S.C. § 1391(b)(3), Defendant First American Title Insurance Company is subject to personal jurisdiction in the State of Illinois. Because Petitioner suffered prejudicially and discriminatorily racial injustice, and Defendants disregarded his 11/21/2019, Bankruptcy Court Injunction Order of Discharge, and Petitioner became a resident of the State of Illinois, and filed a

AUTHORITIES

Callender v. Marsh, 18 Mass. 418, 430–431 (1823),

Knick v. Township of Scott, Pennsylvania, et al. 588 U. S. ____ (2019),

Cedar Point Nursery, et al. v. *Hassid*, et al., 594 U. S. ____ (2021),

State ex rel. Doner v. Zody, 130 Ohio St. 3d 446, 2011-Ohio-6117, 958 N. E. 2d 1235.

Pavelich v. McCormick, Barstow, Sheppard, Wayte & Carruth LLP (In re *Pavelich*), 229 B.R. 777, 783 (9th Cir. BAP 1999);

Marvin D. Cotton; Anthony Legion v. Donald Hughes; Walter Bates, et al. No. 25-1201

Jackson v. City of Cleveland, 64 F.4th 736, 745 (6th Cir. 2023))

CitiMortgage, Inc. v. Wiley, 2016-Ohio-5902

TPI Asset Mgt., L.L.C. v. Earley, 2015-Ohio-740;

Jerry R. Kennedy, et al., v. City of Zanesville, Ohio Case No. 2:03-cv-1047 (S.D. Ohio Aug. 20, 2008)

Feinstein v. Rogers, 2 Ohio App.3d 96, 97-98, 440 N.E.2d 1207, 1209 (1981)

Maddox v. Astro Investments, 45 Ohio App.2d 203, 343 N.E.2d 133 (1975)

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In re Helligrath, 569 B.R. 709, 713-14 (Bankr. S.D. Ohio 2017)

In re Davis, 539 B.R. 334, 341 (Bankr. S.D. Ohio 2015)

Butner v. United States, 440 U.S. 48, 55–57, 99 S.Ct. 914, 59 L.Ed.2d 136 (1979)

In re Lynch 187 B.R. 536 (Bankr. E.D. Ky. 1995)

In re Bonnie Sue Ostrander Case No. 11-33801, 2022 WL 999680 (Bankr N.D. Ohio Apr. 1, 2022)

Ex parte Crane, 30 U.S. 190, 191 (1831) (Marshall, C.J.)

ExParte United States, 53 Sup. Ct. 129, 77 L. ed. 199 (1932)

State ex rel. Doner v. Zody, 130 Ohio St. 3d 446, 2011-Ohio-6117, 958 N. E. 2d 1235,
Callender v. Marsh, 18 Mass. 418, 430-431 (1823)

LaBuy v. Howes Leather Co., 352 U.S. 249 (1957)

United States v. McGarr, 461 F.2d 1 (7th Cir. 1972)

LaBuy v. Howes Leather Co., supra.

Schlagenhauf v. Holder, 379 U.S. 104 (1964).

Mireles v. Waco, 502 U.S. 9, 11-12 (1991)

United States v. District Court, 334 U.S. 258, 263 (1948)

Ex Parte United States, 242 U.S. 27, 39, 37 S. Ct. 72, 61 L. Ed. 129

United States v. Lane, 284 F.2d 935, 938-939 (9th Cir. 1960)

United States v. Gibbs, 285 F.2d 225, 226 (9th Cir. 1960).

Brotherhood of Locomotive Engineers and Trainmen v. Union Pacific Railroad Co.,
707 F.3d 791 (7th Cir. 2013)

Violation of Civil Rights Complaint and of Violation of Fifth Amendment Takings claim under 42 U.S.C. § 1983 in the State of Illinois, and discovered on 04/30/2026, that Defendant First American Title Insurance Company is resident of the State of Illinois; hence, the Questions Presented are as follows:

1. Being that the decisions below contravene, contradict, extra-judicially reject and conflict with the decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), and violate the 5th Amendment Takings Clause, whether 11th Amendment immunity is unavailable for violation of both U.S. and Ohio Constitutions, and violation of 5th Amendment Takings Clause. Because the U.S. Supreme Court decided as follows:

A government “violates” the Takings Clause when it takes property without compensation, and a property owner may bring a Fifth Amendment claim under § 1983 at that time. Pp. 5–20.

2. Whether the decisions below can stand to contradict and contravene the decision in *Knick v. Township of Scott, Pennsylvania*, et al., 588 U. S. ____ (2019), and provide 11th Amendment immunity, to allow violations of the 5th Amendment Takings Clause, U.S. Constitution, and violations of Bankruptcy and Federal laws and statutes?
3. Whether the decision that a property owner in Ohio who suffered a taking without compensation must seek a writ of mandamus under *State ex rel. Doner v. Zody*, 130 Ohio St. 3d 446, 2011-Ohio-6117, 958 N. E. 2d 1235 conflicts, contradicts and contravenes the U.S. Supreme Court’s decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019).
4. Because multiple districts can qualify as having a “substantial part” of the events, under the substantial component of 28 U.S.C. § 1391(b)(2); thus, is a taking of real property in violation of the Fifth Amendment’s Takings Clause “substantial than” a wrongful death of a child?
5. Is *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019)’s decision contradicts, contravenes and conflicts with the 11th Amendment to U.S. Constitution immunity shielding elected state officials for violation of the 5th Amendment Takings Clause?
6. In Mandamus, observing *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), whether the U.S. Supreme Court has the power to set aside the 11/29/2022, taking of Petitioner’s real property without

compensation because it violated the U.S. Constitution and order the property restored to Petitioner, in aid of its jurisdiction.

7. Whether the 11/29/2022, enforcement of the Supplemental Final Judicial Report extinguished the decisions in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) and *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), and the 5th Amendment Taking Clause, 14th Amendment, O.R.C. § 2329, et seq., and 11 U.S.C. § 524(a), to allow the taking of real property without compensation.

INTRODUCTION

37. This is an original action of first impression and public great interest. In a conspiracy with elected government officials in Ohio; therefore, Defendant First American Title Insurance Company fabricated a discriminatory, draconian, extra-judicial, prejudicial, unlawful, unauthorized and unconstitutional “Supplemental Final Judicial Report,” which elected government officials in Ohio under color of state law enforced on 11/29/2022, to “take” Petitioner’s real property, without compensation in violation of the 5th Amendment Taking Clause, and dispatched 5 sheriff deputies to kill Petitioner and his son; consequently, Petitioner and his son escaped being killed in the State of Ohio on 11/29/2022, and became residents of the State of Illinois, where Petitioner’s son was wrongfully killed on 09/02/2024, as a direct and proximate cause of elected government officials Defendants.

38. On 11/29/2022, Defendant First American Title Insurance Company and the elected government officials in Ohio knew, should have known and disregarded that the fabricated, discriminatory, draconian, extra-judicial, fraudulent, prejudicial, unlawful, unauthorized and unconstitutional “Supplemental Final Judicial Report,” was not provided and was not authorized under O.R.C. § 2329, et seq., and O.R.C. § 2329.191(B)(7), and was not a mandatory and statutory required “Final Judicial Report” under O.R.C. § 2329.191(B)(7), for being made by Defendant First American Title Insurance Company and different as found and filed on the record in Franklin County, Ohio Court of Common Pleas, in *CitiMortgage, Inc. v. Wiley*, 2016-Ohio-5902 (Exhibit 14) attached in Appendix D, which substantiated an unjust and disparate treatment of Petitioner, for violating the 5th Amendment Taking Clause.

39. On 04/06/2026, the 7th Circuit Court of Appeals and on 04/03/2026, the U.S. Federal District Court of Northern District of Illinois knew, should have known and disregarded that the 11/29/2022, enforcement of the fabricated, discriminatory, draconian, extra-judicial, fraudulent, prejudicial, unlawful, unauthorized and unconstitutional “Supplemental Final Judicial Report,” against Petitioner and his son and his real property, to “take” Petitioner’s real property without compensation was unauthorized, unlawful, discriminatory, prejudicial, extra-judicial, under color of state law, wrongful, punishable and unconstitutional and violated the 5th

Amendment Taking Clause, the 14th Amendment to U.S. Constitution and Petitioner's protected federal constitutional rights to life, occupy and own his home.

40. On 11/29/2022, the elected government officials in Ohio lacked an "*in rem*" judgment against Petitioner's real property; and lacked a mandatory and statutory required "**Final Judicial Report**" under O.R.C. § 2329.191(B)(7), as established and settled in Franklin County, Ohio (Exhibit 13) attached in Appendix D, in *TPI Asset Mgt., L.L.C. v. Earley*, 2015-Ohio-740; and lacked a mandatory and statutory required "**Certificate of Judgment or a Certified Copy of Judgment**" under O.R.C. § 2329.02(H), as established and settled in Franklin County, Ohio in *Jerry R. Kennedy, et al., v. City of Zanesville, Ohio* Case No. 2:03-cv-1047 (S.D. Ohio Aug. 20, 2008) (see Appendix H); *Feinstein v. Rogers*, 2 Ohio App.3d 96, 97-98, 440 N.E.2d 1207, 1209 (1981); *Maddox v. Astro Investments*, 45 Ohio App.2d 203, 343 N.E.2d 133 (1975)); *Verba v. Ohio Cas. Ins. Co.*, 851 F.2d 811, 814 (6th Cir. 1988); *In re Helligrath*, 569 B.R. 709, 713-14 (Bankr. S.D. Ohio 2017); *In re Davis*, 539 B.R. 334, 341 (Bankr. S.D. Ohio 2015); *Butner v. United States*, 440 U.S. 48, 55-57, 99 S.Ct. 914, 59 L.Ed.2d 136 (1979); *In re Lynch* 187 B.R. 536 (Bankr. E.D. Ky. 1995); and *In re Bonnie Sue Ostrander* Case No. 11-33801, 2022 WL 999680 (Bankr N.D. Ohio Apr. 1, 2022); therefore, on 04/06/2026, the 7th Circuit Court of Appeals and on 04/03/2026, the U.S. Federal District Court of Northern District of Illinois knowingly shielded Defendants from prosecution, to allow the 11/29/2022, taking of Petitioner's real property without compensation in violation of the 5th Amendment Taking Clause, 14th Amendment and appellate Courts' precedents and the decisions in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) and *Callender v. Marsh*, 18 Mass. 418, 430-431 (1823).

41. Observing the U.S. Supreme Court's decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); therefore, Petitioner filed on 10/03/2025, a Complaint under 42 U.S.C. § 1983 against Defendants. For more than 220 elapsed days from 10/03/2025, Honorable Judge Edmond E. Chang shielded Defendants, rejected and ignored the Federal Rule of Civil Procedure and appellate Courts' precedents, and denied to serve Defendants with Petitioner's Complaint. Honorable Judge Edmond E. Chang committed a continuous extra-judicial abuse of power and malfeasance of public office by repeatedly entering several dilatory "Notifications of Docket Entries" to deny serving Defendants with Petitioner's Complaint.

42. The evidentiary facts before the U.S. Supreme Court and Court's record substantiate that Honorable Judge Edmond E. Chang of the U.S. Federal District Court continuously entered several Notifications of Docket Entries to shield Defendants from prosecution, by failing to order the Clerk of Court to serve the Complaint to Defendants, by rejecting and refuting the U.S. Supreme Court's decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), which allowed Petitioner to file his Complaint under 42 U.S.C. § 1983.

43. Thereafter, Petitioner on 03/31/2026, filed Mandamus or Prohibition (see Appendix D) in the 7th Circuit Court of Appeals directed to the U.S. Federal District Court for Northern District of Illinois, Honorable Judge Edmond E. Chang for improperly acting extra-judicially and prejudicially with bias against Petitioner, by shielding elected officials Defendants from prosecution, by disregarding the Federal Rules of Civil Procedure and denying serving Defendants with Petitioner's Complaint, in violation of the 5th Amendment Taking Clause and 14th Amendment to U.S. Constitution.

44. On 04/06/2026, the 7th Circuit Court of Appeals entered an Order without an opinion to make the appellate route to the U.S. Supreme Court technically "unavailable" to Petitioner, by allowing Honorable Judge Edmond E. Chang of the U.S. Federal District Court to step outside his authority, by ordering the Clerk of Court on 04/03/2026, to journalize on the docket entry report that the "case is terminated," and on 05/28/2026, that "Warning: Case Closed on 04/03/2026 (see Appendix F); and on 05/28/2026, that "Warning: Case Closed on 04/03/2026 (see Appendix G), by abusively acting with intimidating power above his judicial authority and extra-judicially with prejudgment and premeditation above the authority of higher appellate Courts, to block any Petitioner's adequate remedy in the ordinary course of law.

45. Petitioner discovered on 04/30/2026, that Defendant First American Title Insurance Company is resident of the State of Illinois. On 04/06/2026, the 7th Circuit Court of Appeals entered a decision (see Appendix A) without an opinion, which is not reviewable on appeal; consequently, Petitioner lacks any adequate remedy in the ordinary course of the law, and is suffering irreparable harms, as a direct and proximate cause of Defendants. Without the U.S. Supreme Court's issuing Mandamus or Prohibition, to aid in its jurisdiction, thus, Petitioner will suffer irreparable injuries and will be unconstitutionally killed; therefore, the public interest will be seriously jeopardized by the denial of Mandamus or Prohibition.

JURISDICTION AND VENUE

46. The jurisdiction of the U.S. Supreme Court is invoked under 28 U.S.C. § 1651. "The U.S. Supreme Court has power to issue a Mandamus or Prohibition directed to a Circuit Court of the United States of America." *Ex parte Crane*, 30 U.S. 190, 191 (1831) (Marshall, C.J.); therefore, the U.S. Supreme Court has power to issue a Mandamus or Prohibition directed to the 7th Circuit Court of Appeals and the lower U.S. Federal District Court of Northern District of Illinois.

47. The 04/06/2026, 7th Circuit Court of Appeals' Order is without an "opinion" and was entered to block Petitioner's chance for a review on appeal before the U.S. Supreme Court, and at the very least is patently wrong, and cannot be effectively reviewable on appeal by the U.S. Supreme Court, for lack of opinion.

48. The 04/06/2026, 7th Circuit Court of Appeals' Order is clearly erroneous and is working a substantial manifest injustice against Petitioner and his deceased son, by ignoring the U.S. Supreme Court's precedent in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) that Petitioner has the right to sue elected government officials under 42 U.S.C. § 1983, to enforce Petitioner's 5th Amendment Taking Clause to U.S. Constitution right. It is undisputed that Defendant First American Title Insurance Company is resident of the State of Illinois and will be served on "remand" with Petitioner's Amended Complaint at its business mailing address in the State of Illinois, in aid of the U.S. Supreme Court's jurisdiction.

49. The Supreme Court of the United States of America possesses the authority and the jurisdiction to grant a Writ of Mandamus or a Writ of Prohibition under the All-Writ Act under 28 U.S.C. § 1651, to compel the lower Federal Courts in the State of Illinois, to perform officially and mandatorily obligated duties to uphold the U.S. Constitution and Federal laws and Statutes and Fed. R. Civ. P. 4 and Fed. R. Civ. P. 1 owed to Petitioner and his son, who are residents of the State of Illinois, and who were unlawfully, wrongfully and unconstitutionally harmed in the State of Illinois, as a direct and proximate cause of Defendants, who are shielded from prosecution by the lower U.S. Federal District Court.

50. The Supreme Court of the United States of America can issue a Writ of Mandamus or a Writ of Prohibition against the lower 7th Circuit Court of Appeals. As a Federal Appellate Court, it has authority under the All-Writs Act to issue Mandamus and Prohibition Orders to lower Federal Courts in the State of Illinois, to compel performance of duty or correct abuse of discretion.

51. This is a first impression case where the U.S. Supreme Court authority under the All-Writs Act is correctly invoked by Petitioner, where there is a clear abuse of discretion, malfeasance of office, disregard of the U.S. Constitution and of U.S. Supreme Court's precedents, and Federal Rules of Civil Procedure, laws and statutes and usurpation of judicial power. The granting of Mandamus or Prohibition may bring about reviewing of Petitioner's case as would an appeal.

52. The U.S. Supreme Court would have immediate appellate jurisdiction from the 7th Circuit Court of Appeals' 04/06/2026, Order; thus, the U.S. Supreme Court has power to issue Mandamus or Prohibition on the ground that ultimate power to review by Certiorari to the 7th Circuit Court of Appeals' Order exists. *ExParte United States*, 53 Sup. Ct. 129, 77 L. ed. 199 (1932); thus, the writ should issue in aid of the U.S. Supreme Court's jurisdiction in this extraordinary case at bar.

53. Knowingly that Petitioner and his son were unlawfully, wrongfully and unconstitutionally harmed in the State of Illinois by Defendants; therefore, the lower Federal Courts in the State of Illinois disregarded that under Federal Rule of Civil Procedure 4(C)(1), Summons and Complaints must be served on Defendants

within 90 of filing the Complaint. From 10/03/2025, to shield Defendants from prosecution; therefore, for more than 240 elapsed days, the U.S. Federal District Court violated Fed. R. Civ. P. 4(C)(1) and denied to serve Defendants with Petitioner's Complaint. Now Petitioner requests the U.S. Supreme Court to compel the 7th Circuit Court of Appeals to order the lower U.S. Federal District Court to serve Defendants with Petitioner's Complaint.

RELEVANT CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

54. The All-Writs Act, 28 U.S.C. § 1651(a)
The 5th Amendment Taking Clause
The 5th Amendment to U.S. Constitution
The 11th Amendment to U.S. Constitution
The 14th Amendment to U.S. Constitution
42 U.S.C. § 1983
11 U.S.C. § 524(a)(1) and (a)(2)
11 U.S.C. § 727(a)(1)
Fed. R. Civ. P. 4(C)
Fed. R. Civ. P. 1
Ohio Revised Code: O.R.C. § 2329, et seq.,
Ohio Revised Code: O.R.C. § 2329.02(H)
Ohio Revised Code: O.R.C. § 2329.191(B)(7)

THE PARTIES

PETITIONER

55. The party to the judgment from which Mandamus or Prohibition is sought is Petitioner is Mr. Leonard Nyamusevya, who was a party in all proceedings below, and is an unfortunate, unhappy, hopeless, aggrieved, frustrated, mourning, victim of modern and sophisticated white-collar crime and prejudicial discriminatorily racial injustice. Petitioner is a resident of the State of Illinois.

56. Petitioner cannot get justice, redress and relief in the State of Ohio and in the regional Sixth Circuit Court of Appeals, for Ohio, Michigan, Kentucky, and Tennessee; hence, in the interest of justice, Petitioner can only get justice, redress and relief in the U.S. Federal District Court of Northern District of Illinois, where Petitioner resides and where the witnesses, custodians and keepers of the records of the 09/02/2024, death of Petitioner's son reside.

57. Petitioner is a discharged Bankrupt effective 11/21/2019, under 11 U.S.C. § 727(a)(1). Petitioner is the biological father of former U.S. Marine Simeon Underhill Bihesi, who was wrongfully killed on 09/02/2024, in Cook County, in Forest Park, in

Chicago, in the State of Illinois, as a direct and proximate cause of Defendants, who are extra-judicially shielded from prosecution by the U.S. Federal District Court.

RESPONDENTS

58. Respondent is the lower 7th Circuit Court of Appeals: Michael Y. Scudder, *Circuit Judge*; Amy J. St. Eve, *Circuit Judge*; Nancy L. Maldonado, *Circuit Judge* and Honorable Judge Edmond E. Chang of United States District Court Northern District of Illinois.

BACKGROUND HISTORY AND NATURE OF THE CASE

59. Petitioner's private real property was wholly satisfied, paid off entirely, unmortgaged and unencumbered prior to 05/01/2019, when Petitioner filed his Bankruptcy Petition for being late on his child support payment obligation, as Petitioner used his money to pay off his private residential real property.

60. Petitioner was in a car accident and was believed to be dead; consequently, Defendant First American Title Insurance Company fabricated a discriminatory, draconian, extra-judicial, prejudicial, unlawful, unauthorized and unconstitutional "Supplemental Final Judicial Report," which elected government officials in Ohio under color of state law enforced on 11/29/2022, to "take" Petitioner's real property, without compensation in violation of the 5th Amendment Taking Clause.

61. On 11/29/2022, Defendants dispatched 5 sheriff deputies to kill Petitioner and his son in Petitioner's real property; consequently, Petitioner and his son escaped being killed in the State of Ohio on 11/29/2022, and became residents of the State of Illinois, where Petitioner's son was wrongfully killed on 09/02/2024, as a direct and proximate cause of elected government officials Defendants.

62. On 11/29/2022, Defendants knew, should have known and disregarded that Petitioner and his now deceased son had protected federal constitutional rights to life, safety, freedom, liberty, due process and equal protection under the law rights, and right to own, possess, occupy and live in Petitioner's private residential real property, which is located at 2064 Worchester Court, Columbus, Ohio 43232; and that Petitioner was a discharged Bankrupt effective 11/21/2019. On 11/29/2022, Defendants lacked an *in rem* judgment against Petitioner's real property, but enforced an invalid, fabricated, fraudulent and unauthorized Supplemental Final Judicial Report to "take" Petitioner's real property without compensation.

63. Petitioner relied on the U.S. Supreme Court's decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) and filed his violation of civil right Complaint under 42 U.S.C. § 1983 against Defendants, in the State of Illinois in the U.S. Federal District Court of Northern District of Illinois, to seek redress

and relief for Defendants' violation of the 5th Amendment Taking Clause, and 14th Amendment, and violation of the U.S. and Ohio Constitutions, and violation of Bankruptcy and Federal laws, Rules and statutes and Bankruptcy Act, and violation of Petitioner and his son's protected federal constitutional rights.

FACTS NECESSARY TO UNDERSTAND THE ISSUES
PRESENTED BY THE PETITION

64. The core of Petitioner's position is that the witnesses he intends to call at the jury trial reside in the State of Illinois. The evidentiary facts substantiate that the custodians and keepers of the records of the 09/02/2024, wrongful death of Petitioner's son and the witnesses all reside in the Northern District of Illinois.

65. The decisions below contravene, contradict, extra-judicially reject and conflict with the decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), and establish that elected government officials Defendants are protected by the 11th Amendment immunity from prosecution for violating both the U.S. and Ohio Constitutions, and violating the 5th Amendment Takings Clause.

66. The word "government" in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) means and includes elected government officials. The word "government" does not mean a "State," because the 11th Amendment prohibits individuals from suing the "State." On the issue of violating the 5th Amendment Takings Clause, the U.S. Supreme Court on the other hand decided as follows:

A government "violates" the Takings Clause when it takes property without compensation, and a property owner may bring a Fifth Amendment claim under § 1983 at that time. Pp. 5–20.

67. The decisions below contradict, conflict and contravene the decision in *Knick v. Township of Scott, Pennsylvania*, et al., 588 U. S. ____ (2019), and provide 11th Amendment immunity from prosecution, and shield Defendants, and prejudicially, extra-judicially and unconstitutionally allow Defendants' violation of the 5th Amendment Takings Clause, and both the U.S. and Ohio Constitutions, and violation of Bankruptcy and Federal laws and statutes, and Federal Rule of Civil Procedure, and Petitioner and his son's protected federal constitutional rights.

68. Under the U.S. Supreme Court's decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), Petitioner is directly permitted to file suit under 42 U.S.C. § 1983 against elected government officials, in the U.S. Federal District Court, without filing a writ of mandamus under *State ex rel. Doner v. Zody*, 130 Ohio St. 3d 446, 2011-Ohio-6117, 958 N. E. 2d 1235, which contradicts, conflicts with and contravenes the U.S. Supreme Court's precedents and decisions, on the issue when a property owner in Ohio suffered a taking without compensation.

69. The 09/02/2024, wrongful death of Petitioner's son is substantial than a taking of a real property; therefore, because multiple districts can qualify as having a "substantial part" of the events, under the substantial component of 28 U.S.C. § 1391(b)(2); thus, the taking of real property in violation of the Fifth Amendment's Takings Clause is not irreparable, but the death of Petitioner's son is "substantial" and irreparable.

70. Being the highest Court of last resort, in Mandamus, observing *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823); therefore, the U.S. Supreme Court has the power to set aside the 11/29/2022, taking of Petitioner's real property without compensation because it violated the U.S. and Ohio Constitutions and order the property restored to Petitioner, in aid of its jurisdiction.

71. Being not provided and not authorized under the whole of American laws and O.R.C. § 2329, et seq., and O.R.C. § 2329.191(B)(7); therefore, the 11/29/2022, enforcement of the Supplemental Final Judicial Report against Petitioner and his real property to take Petitioner's real property without compensation is a "taking" under the 5th Amendment Taking Clause; therefore, the 11/29/2022, enforcement of the Supplemental Final Judicial Report cannot extinguished the decisions in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) and *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823), and the 5th Amendment Taking Clause, 14th Amendment, O.R.C. § 2329, et seq., and 11 U.S.C. § 524(a), to allow the taking of Petitioner's real property without compensation.

REASON FOR GRANTING MANDAMUS OR PROHIBITION ORDER

72. Petitioner brings this case before the U.S. Supreme Court on Petition for Mandamus or Prohibition directed to Respondents: Michael Y. Scudder, *circuit judge*; Amy J. St. Eve, *circuit judge*; Nancy L. Maldonado, *circuit judge* and Honorable Judge Edmond E. Chang of U.S. Federal District Court of Northern District of Illinois. Petitioner wholly satisfied, paid off entirely, unmortgaged and unencumbered private residential real property was unconstitutionally, under color of state law, extra-judicially, prejudicially, discriminatorily, wrongfully, unlawfully, corruptly and fraudulently "taken," usurped, seized, deprived and confiscated against Petitioner's wish, in violation of the 5th Amendment Taking Clause and the 14th Amendment to U.S. Constitution.

73. The U.S. Supreme Court has power to issue the writ of Mandamus or Prohibition on the ground that ultimate power to review by certiorari to the 7th Circuit Court of Appeals 04/06/2026, Order exists (Appendix A). *ExParte United States*, 53 Sup. Ct. 129, 77 L. ed. 199 (1932).

74. Appellate Courts' precedents in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823) and in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019)

provide for a mandatory relief to give back and restore to Petitioner his real property, in conformity with the U.S. Constitution and existing federal laws.

75. Appellate Courts' precedents in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823) and in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) provide for a mandatory relief to set aside the 11/29/2022, “**taking**” of Petitioner’s real property because it violated the Constitution and order the property restored to its owner to redress the violation of Petitioner’s 5th and 14th Amendments to U.S. Constitution rights. See *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823); see *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019).

76. The 04/06/2026, Order of the 7th Circuit Court of Appeals and the 04/03/2026, decision of the U.S. Federal District Court contradict, contravene, oppose, refute and conflict with the U.S. Supreme Court’s decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019). The U.S. Supreme Court’s decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) holds that elected officials of the government lack any 11th Amendment immunity from prosecution for violation of the 5th Amendment Takings Clause, when they “**take**” property without compensation, and that a “**property owner may bring**” a Fifth Amendment claim under 42 U.S.C. § 1983 at that time. Pp. 5–20.

77. The Supreme Court of Ohio’s decision in *State ex rel. Doner v. Zody*, 130 Ohio St. 3d 446, 2011-Ohio-6117, 958 N. E. 2d 1235 mandatorily requiring the filing of Mandamus contradicts, contravenes, opposes, refutes and conflicts with the U.S. Supreme Court’s decision and controlling precedent in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), consequently, Mandamus or Prohibition should issue to decide this case presenting issues of public great importance under the 5th and 14th Amendments to U.S. Constitution.

78. Respondents’ extra-judicial disregard, violation and rejection of Petitioner’s protected federal constitutional right to life, due process and equal protection under the law right, and right to real property ownerships under the 5th and 14th Amendments to U.S. Constitution, and denial to follow the U.S. Supreme Court’s guiding, binding, instructive and controlling “precedents” present issues of public importance beyond the particular facts and parties involved; therefore, Mandamus or Prohibition should issue.

79. The U.S. Supreme Court is the highest Court of last resort in the United State of America and its precedents are law of the land; therefore, once the U.S. Supreme Court had issued a decision: therefore, lower Courts are bound and obligated to follow the U.S. Supreme Court’s precedents.

80. In this case at bar, Mandamus or Prohibition should issue because the lower Courts’ decisions extra-judicially disregard, violate, oppose, contradict, contravene,

refute and reject appellate Courts' precedents in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823); in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); in *Cedar Point Nursery, et al. v. Hassid, et al.*, 594 U. S. ____ (2021).

81. Mandamus is an extraordinary remedy, which should only be used in exceptional circumstances of peculiar emergency or public importance. *LaBuy v. Howes Leather Co.*, 352 U.S. 249 (1957); *United States v. McGarr*, 461 F.2d 1 (7th Cir. 1972). The All-Writs Act, 28 U.S.C. § 1651(a), confers the power of Mandamus or Prohibition on federal appellate Courts. *LaBuy v. Howes Leather Co.*, supra. Mandamus or Prohibition may be appropriately issued to confine an inferior Court to a lawful exercise of prescribed jurisdiction, or when there is an usurpation of judicial power. See *Schlagenhauf v. Holder*, 379 U.S. 104 (1964).

82. For peculiar emergency and public importance; thus, Mandamus or Prohibition should issue to “confine” the 7th Circuit Court of Appeals and the U.S. Federal District Court to follow the decisions in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823); in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); and in *Cedar Point Nursery, et al. v. Hassid, et al.*, 594 U. S. ____ (2021).

83. In this case at bar, there is an extra-judicial usurpation of judicial power. The lower Federal Courts' decisions extra-judicially disregard, violate, oppose, refute, conflict with, contravene, reject and contradict the U.S. Supreme Courts' precedent in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019). To the contrary, the lower Federal Courts' decisions extra-judicially disregarded the violation of the 5th Amendment Taking Clause and held that: “The state court judges would be protected by absolute judicial immunity from money damages for their judicial actions. *Mireles v. Waco*, 502 U.S. 9, 11–12 (1991).” (See Appendix B).

84. Mandamus is invoked to require the lower Federal Courts to enforce the U.S. Supreme Courts' precedent in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019). See *United States v. District Court*, 334 U.S. 258, 263 (1948) (to enforce obedience to Court of appeals mandate).

85. Analyzing the 5th Amendment Taking Clause and the 14th Amendment to U.S. Constitution, the lower Federal Courts extra-judicially exceeded their authorities; hence, the issuance of Mandamus is appropriate in this instant case. *Ex Parte United States*, 242 U.S. 27, 39, 37 S. Ct. 72, 61 L. Ed. 129; *United States v. Lane*, 284 F.2d 935, 938-939 (9th Cir. 1960); *United States v. Gibbs*, 285 F.2d 225, 226 (9th Cir. 1960).

86. Petitioner is entitled to extraordinary reliefs. Observing the U.S. Supreme Court's decision in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); therefore, Petitioner is entitled to have his private real property restored

back to Petitioner. The lower Federal Courts owe to restore back the real property to Petitioner, under existing law and appellate Courts' precedents.

87. Respondents: 7th Circuit Court of Appeals Michael Y. Scudder, *circuit judge*; Amy J. St. Eve, *circuit judge*; Nancy L. Maldonado, *circuit judge* and Honorable Judge Edmond E. Chang of U.S. Federal District Court of Northern District of Illinois owe a clear legal duty to Petitioner. The lower Federal Courts owe Petitioner to follow the Court's decision in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823) and in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019), and set aside the 11/29/2022, **taking** of Petitioner's real property without compensation, because it violated the Constitution and "must" order the property restored back to Petitioner as follows:

If a government took property without payment, a court would set aside the **taking** because it violated the Constitution and order the property restored to its owner... Antebellum courts, which had no means of compensating a property owner for his loss, had no way to redress the violation of an owner's Fifth Amendment rights other than ordering the government to give him back his property. See *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823)

88. The filing of a petition for writ of certiorari to the U.S. Supreme Court, which "is not a matter of right, but of judicial discretion," will not provide Petitioner's "adequate means to attain the extraordinary reliefs sought," and to which the law entitles Petitioner and his now deceased son.

89. Petitioner's right to extraordinary reliefs is clear and indisputable because the lower Federal Courts exceeded their jurisdiction by acting above the U.S. Supreme Court's authority of last resort, by terminating the case by allowing the 04/03/2026, docketing journal entry that the "civil case is terminated" in the U.S. Federal District Court of Northern District of Illinois, to block Petitioner's chance for an adequate remedy in the ordinary course of the law prior to an appeal of right; thus, Petitioner is entitled to the issuing of Mandamus or Prohibition.

90. The 7th Circuit Court of Appeals and the U.S. Federal District Court lack the power to reject and disregard that Petitioner asserted constitutional allegations and was guaranteed a federal forum under 42 U.S.C. § 1983; and lack the power to reject and disregard that under 42 U.S.C. § 1983, Defendants are liable to Petitioner, and lack the power to shield Defendants from prosecution, and lack the power to reject and disregard that the U.S. Supreme Court established in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) as follows:

Section 1983 provides: "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the

United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law”

91. Mandamus or Prohibition are sought to protect Petitioner’s life and the U.S. Constitution and existing Federal laws and statutes and Bankruptcy Act and Bankruptcy laws, Rules and Codes and Petitioner’s 11/21/2019, Bankruptcy relief for a fresh start and Petitioner’s 1st and 5th and 8th and 14th Amendments to U.S. Constitution, and interest in Fed. R. Civ. P. 4 and Fed. R. Civ. P. 1 and 11 U.S.C. § 524(a)(1), and right for a jury trial.

92. The 7th Circuit Court of Appeals established a precedent in *Brotherhood of Locomotive Engineers and Trainmen v. Union Pacific Railroad Co.*, 707 F.3d 791 (7th Cir. 2013) that the 05/01/2026, Notice of Appeal be treated as Petition for Mandamus and Prohibition; thus, this instant case is properly before the U.S. Supreme Court to seek the extraordinary relief of Mandamus or Prohibition.

93. Honorable Judge Edmond E. Chang against whom Mandamus or Prohibition were sought on 03/31/2026, in the 7th Circuit Court of Appeals was authorized to file a Respondent’s brief in the 7th Circuit Court of Appeals, Fed. R. App. P. 21(b), but Honorable Judge Edmond E. Chang had not done so. In effect he extra-judicially entered the 04/03/2026, Order (see Appendix B) that was his Respondent’s brief in response to 03/31/2026, Mandamus or Prohibition that was filed against him in the 7th Circuit Court of Appeals, while Petitioner had no chance to respond to it.

94. Thereafter, the 7th Circuit Court of Appeals denied Mandamus or Prohibition on 04/06/2026, without any appellate Court’s opinion, to block Petitioner’s right to appeal its appellate decision, and to allow Honorable Judge Edmond E. Chang to act in a deliberate power-grab with higher authority than the U.S. Supreme Court on 04/03/2026, and allowed the docketing journal entry on the record that the “civil case was terminated,” to block Petitioner’s possibility for a direct appeal of right.

95. The 7th Circuit Court of Appeals’ 04/06/2026, Order and the U.S. Federal District Court’s 04/03/2026, Order are fairly characterized as usurpative and violative of the U.S. Constitution and existing Federal laws and statutes, and violative of Petitioner’s protected federal constitutional rights; consequently, Petitioner lacks any adequate remedy in the ordinary course of the law, knowingly and disregarding that Petitioner is suffering irreparable harms, and is in imminent danger of loss of life by Defendants.

RELIEF SOUGHT

96. Observing in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); thus, the U.S. Supreme Court should order the lower Federal Courts to serve Defendants with Petitioner's Complaint. Defendants violated the 5th Amendment Taking Clause and are liable to Petitioner.
97. Petitioner requests the U.S. Supreme Court to compel the 7th Circuit Court of Appeals to order the lower U.S. Federal District Court to serve Defendants with Petitioner's Complaint.
98. Observing in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); thus, the U.S. Supreme Court should prohibit the U.S. Federal District Court from shielding Defendants.
99. Observing in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); thus, the U.S. Supreme Court should order the U.S. Federal District Court to follow *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019) and serve Defendants with Petitioner's Complaint.
100. Following in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823) and observing in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); thus, the U.S. Supreme Court should “set aside the 11/29/2022, ‘taking’ of Petitioner's real property” without compensation because it violated the U.S. Constitution and the 5th Amendment Taking Clause and the 14th Amendment to U.S. Constitution, and 11 U.S.C. § 524(a) and 11 U.S.C. § 727(a)(1) and O.R.C. § 2329, et seq., O.R.C. § 2329.02(H), O.R.C. § 2329.31, O.R.C. § 2329.36 and O.R.C. § 2329.191(B)(7), and violated Petitioner's protected federal constitutional right.
101. Following in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823) and observing in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); thus, the U.S. Supreme Court should order the 7th Circuit Court of Appeals to “set aside the 11/29/2022, ‘taking’ of Petitioner's real property” without compensation because it violated the U.S. Constitution and the 5th Amendment Taking Clause and the 14th Amendment, and 11 U.S.C. § 524(a) and 11 U.S.C. § 727(a)(1) and O.R.C. § 2329, et seq., O.R.C. § 2329.02(H), O.R.C. § 2329.31, O.R.C. § 2329.36 and O.R.C. § 2329.191(B)(7), and violated Petitioner's protected federal constitutional right.
102. Following in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823) and observing in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); thus, the U.S. Supreme Court should order the 7th Circuit Court of Appeals to order the U.S. Federal District Court to “set aside the 11/29/2022, ‘taking’ of

Petitioner's real property" without compensation because it violated the U.S. Constitution and the 5th Amendment Taking Clause and the 14th Amendment to U.S. Constitution, and 11 U.S.C. § 524(a) and 11 U.S.C. § 727(a)(1) and O.R.C. § 2329, et seq., O.R.C. § 2329.02(H), O.R.C. § 2329.31, O.R.C. § 2329.36 and O.R.C. § 2329.191(B)(7), and violated Petitioner's protected federal constitutional right.

103. Following in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823) and observing in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); thus, the U.S. Supreme Court should order the property restored to Petitioner, by ordering the government to give him back his property. See *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823).
104. Following in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823) and observing in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); thus, the U.S. Supreme Court should order the 7th Circuit Court of Appeals to order the property restored to Petitioner, by ordering the government to give him back his property. See *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823).
105. Following in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823) and observing in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); thus, the U.S. Supreme Court should order the 7th Circuit Court of Appeals to order the U.S. Federal District Court to order the property restored to Petitioner, by ordering the government to give him back his property. See *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823).
106. Following in *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823) and observing in *Knick v. Township of Scott, Pennsylvania*, et al. 588 U. S. ____ (2019); thus, the U.S. Supreme Court should order the U.S. Federal District Court to order the property restored to Petitioner, by ordering the government to give him back his property. See *Callender v. Marsh*, 18 Mass. 418, 430–431 (1823).
107. On remand, Petitioner demands the U.S. Supreme Court to remove Honorable Judge Edmond E. Chang of the United States District Court Northern District of Illinois, for lack of impartiality, bias and prejudice against Petitioner, and disregard of appellate Courts' precedents; consequently, then remand, this case should be assigned to a different judge.

TABLE OF APPENDICES

APPENDIX A — Order of the 7th Circuit Court of Appeals

APPENDIX B — Order of the United States Federal District Court

APPENDIX C — Order of the United States Federal District Court

APPENDIX D — 03/31/2026, Petition for Mandamus or Prohibition in 7th Circuit

APPENDIX E — Record of 09/02/2024, death of Petitioner's son in Chicago.

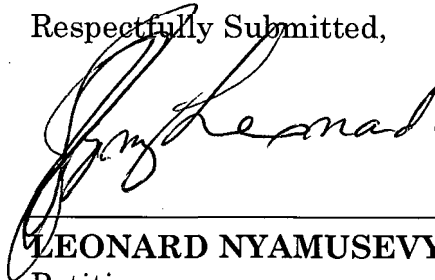
APPENDIX F — 05/28/2026, warning: Case Closed on 04/03/2026

APPENDIX G — 05/28/2026, warning: Case Closed on 04/03/2026

APPENDIX H — Kennedy v. City of Zanesville, Ohio

Signed on the 02nd day of June 2026.

Respectfully Submitted,



LEONARD NYAMUSEVYA

Petitioner *pro-se*

P.O. Box 314

Reynoldsburg, Ohio 43068

(614) 323-5898

nyaleo@hotmail.com

CERTIFICATE FOR SERVICE

I hereby certify that on the 02nd day of June 2026, I served a true and accurate copy of the foregoing document and all attachments on the following by regular U.S. Mail, postage prepaid, in the manner specified as follows:

HONORABLE MICHAEL Y. SCUDDER, *Circuit Judge*

United States 7th Circuit Court of Appeals

219 South Dearborn Street,

Chicago, Illinois 60604

HONORABLE AMY J. ST. EVE, *Circuit Judge*

United States 7th Circuit Court of Appeals

219 South Dearborn Street,

Chicago, Illinois 60604

HONORABLE NANCY L. MALDONADO, *Circuit Judge*

United States 7th Circuit Court of Appeals
219 South Dearborn Street,
Chicago, Illinois 60604

HONORABLE JUDGE EDMOND E. CHANG

United States District Court Northern District of Illinois,
Eastern Division
219 South Dearborn Street,
Chicago, Illinois 60604

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65 South Front Street,
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Justice Daniel R. Hawkins

Justice of Supreme Court of Ohio
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Columbus, Ohio 43215

Judge David J. Leland

Judge Julia L. Dorrian

10th District Court of Appeals
373 South High Street,
Columbus, Ohio 43215

Judge Kristin Boggs
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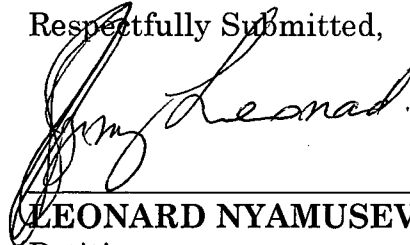
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Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Leonard Nyamusevya", written over a horizontal line.

LEONARD NYAMUSEVYA

Petitioner – *pro se*

P.O. Box 314

Reynoldsburg, Ohio 43068

U.S.A.

(614) 323-5898

nyaleo@hotmail.com

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES
OF AMERICA

IN RE LEONARD NYAMUSEVYA PETITIONER
(Your Name)

MICHAEL Y. SCUDDER; AMY J. ST. EVE;
NANCY L. MALDONADO; EDMON E. CHANG — RESPONDENT(S)
VS.

PROOF OF SERVICE

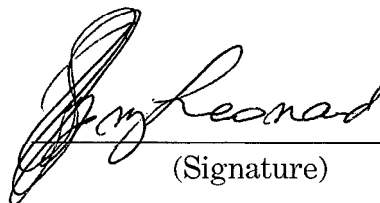
I, LEONARD NYAMUSEVYA, do swear or declare that on this date,
02 JUNE, 2026, as required by Supreme Court Rule 29 I have
served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*
and PETITION FOR A WRIT OF MANDAMUS on each party to the above proceeding
or that party's counsel, and on every 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:

MICHAEL Y. SCUDDER, CIRCUIT JUDGE
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

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

Executed on 02 JUNE, 2026


(Signature)

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES
OF AMERICA

IN RE LEONARD NYAMUSEVYA PETITIONER
(Your Name)

VS.
MICHAEL Y. SCUDDER; AMY J. ST. EVE;
NANCY L. MALDONALDO; EDMOND E. CHANG — RESPONDENT(S)

PROOF OF SERVICE

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commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

NANCY L. MALDONALDO, CIRCUIT JUDGE
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

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

Executed on 02 JUNE, 2026


(Signature)

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES
OF AMERICA

IN RE LEONARD NYAMUSENYA — PETITIONER
(Your Name)

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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:

EDMOND E. CHANG, U.S. FEDERAL DISTRICT COURT JUDGE
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

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

Executed on 02 JUNE, 2026


(Signature)