26-5856

IN THE SUPREME COURT OF THE UNITED STATES

ORIGINAL

NAKITA MARIE BAKER,

Petitioner,

FILED
APR 28 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

v.

WILLIE LAWRENCE BAKER,

Respondent.

On Petition for a Writ of Certiorari

to the Michigan Supreme Court

SC: 169543

COA: 378924

Oakland CC: 2025-532480-DM

PETITION FOR A WRIT OF CERTIORARI

RECEIVED
MAY - 4 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Nakita Marie Baker

Petitioner, Pro Se

1530 TU VAN TRL
LEONARD MI, 48367

NakitaDixon0908@Gmail.COM

QUESTIONS PRESENTED

1. Whether a state court violates the Fourteenth Amendment's Due Process Clause by proceeding to trial and adjudicating custody and property rights where no amended complaint was filed, despite the court's instruction that amendment was required, and over a timely jurisdictional objection, thereby depriving a party of notice and a meaningful opportunity to respond to and defend against claims not contained in any filed pleading.

2. Whether due process is violated when a court denies a request for adjournment where a party lacked notice of the claims to be tried and was simultaneously facing an emergent family medical crisis, thereby depriving the party of a meaningful opportunity to prepare and be heard.

3. Whether a trial court violates the Due Process Clause when it declares factual conclusions before evidence is presented, excludes witnesses, removes individuals from the courtroom for attempting to correct the record, and repeatedly misstates a party's testimony, thereby depriving that party of a meaningful opportunity to be heard.

4. Whether a trial court violates due process by assuming an adversarial role and making factual assertions on behalf of one party in the absence of admitted evidence.

5. Whether due process is violated where a court restricts or denies a party the ability to present witnesses and evidence in a proceeding affecting fundamental parental rights and property.

6. Whether a state court exceeds its authority and violates due process by adjudicating custody and property rights not properly placed at issue through the pleadings, including rights involving non-parties who were not afforded notice or an opportunity to be heard.

PARTIES TO THE PROCEEDING

Petitioner is Nakita Marie Baker, Defendant-Appellant in the lower courts.

Respondent is Willie Lawrence Baker, Plaintiff-Appellee in the lower courts.

CORPORATE DISCLOSURE STATEMENT

Petitioner is an individual and not a corporate entity.

TABLE OF CONTENTS

Questions Presented 1

Parties to the Proceeding 2

Corporate Disclosure Statement 2

Statement of the Case 3

Reasons for Granting the Writ 6

Conclusion 10

TABLE OF AUTHORITIES

Cases

In re Murchison, 349 U.S. 133 (1955)

Mathews v. Eldridge, 424 U.S. 319 (1976)

Constitution

U.S. Const. amend. XIV

IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[ ] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

[✓] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A-1 to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[✓] is unpublished.

The opinion of the MICHIGAN COURT OF APPEALS court appears at Appendix A-2 to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[✓] is unpublished.

7

JURISDICTION

[ ] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

[ ] No petition for rehearing was timely filed in my case.

[ ] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ___A_____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[ ] For cases from **state courts**:

The date on which the highest state court decided my case was 1/30/2026. A copy of that decision appears at Appendix A-1.

[ ] A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ___A_____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

STATEMENT OF THE CASE

This case arises from a divorce proceeding in the Oakland County Circuit Court, Case No. 2025-532480-DM.

The trial court instructed Plaintiff to file an amended complaint in order to proceed. Plaintiff failed to do so. Petitioner objected in writing and at the outset of trial to the absence of an amended pleading and to the court's jurisdiction. These objections were overruled.

Because no amended complaint was filed, Petitioner was deprived of notice of the claims to be adjudicated and was not afforded a meaningful opportunity to respond to or defend against those claims prior to trial.

On the eve of trial, Petitioner learned that her mother was terminally ill and beyond further medical intervention. Petitioner requested an adjournment due to lack of notice and inability to prepare under emergent circumstances. The request was denied.

During trial, the court repeatedly interrupted Petitioner, rejected her assertions without evidentiary consideration, and declared, "There is no abuse," prior to hearing relevant testimony.

The court misstated Petitioner's testimony regarding employment and financial contributions, preventing meaningful correction of the record. When Petitioner's daughters attempted to correct these misstatements, the court removed them from the courtroom.

A witness prepared to testify regarding allegations of sexual abuse was not permitted to testify. The trial court later acknowledged excluding witnesses, characterizing their testimony as "cumulative."

The court also made factual assertions regarding Petitioner's alleged conduct, including statements that she was "in bed" with another individual, despite no admitted evidence supporting such claims.

Petitioner declared a mistrial. The court responded by asking Petitioner to justify the request.

Petitioner raised due process violations post-trial, including denial of witnesses and lack of a meaningful opportunity to be heard. The trial court acknowledged these claims but rejected them.

The Michigan Court of Appeals denied relief. The Michigan Supreme Court denied review, stating it was not persuaded that the questions presented should be reviewed.

REASONS FOR GRANTING THE WRIT

This case presents fundamental and recurring questions regarding the minimum procedural safeguards required by the Fourteenth Amendment in state court proceedings affecting parental rights.

I. THE DECISION BELOW CONFLICTS WITH THIS COURT'S DUE PROCESS PRECEDENTS

This Court has repeatedly held that due process requires both a meaningful opportunity to be heard and a neutral decisionmaker. See In re Murchison, 349 U.S. 133 (1955); Mathews v. Eldridge, 424 U.S. 319 (1976).

The proceedings below departed from these basic constitutional requirements. The trial court declared factual conclusions before hearing evidence, excluded witnesses, restricted testimony, and made factual assertions concerning Petitioner's alleged conduct without reliance on admitted evidence. These actions are incompatible with the requirement of a fair and impartial tribunal.

II. PETITIONER WAS DENIED A MEANINGFUL OPPORTUNITY TO RESPOND AND BE HEARD

The trial court acknowledged Petitioner's claims that she was denied the opportunity to present witnesses and a meaningful opportunity to be heard, yet rejected those claims.

These restrictions occurred in a proceeding involving fundamental parental rights, where heightened procedural protections are required. The exclusion of witnesses, limitation of testimony and deprivation of notice and opportunity to respond deprived Petitioner of any meaningful opportunity to present her case.

III. THE CASE PRESENTS IMPORTANT AND RECURRING QUESTIONS

This case raises whether a state court may proceed to adjudicate custody and property rights without proper pleadings, deny adjournment under circumstances preventing meaningful preparation, exclude witnesses, and actively shape the factual record, while still satisfying due process.

These issues arise frequently in state courts, particularly where litigants proceed without counsel, and warrant this Court's intervention.

IV. THIS CASE IS AN APPROPRIATE VEHICLE

The constitutional issues were raised and preserved at trial and in post-judgment proceedings. The trial court expressly addressed Petitioner's due process arguments. The Michigan appellate courts declined review.

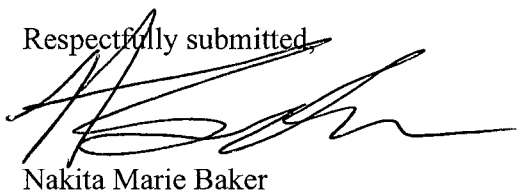
The record clearly presents the constitutional questions without procedural barriers.

These procedural failures, taken together, deprived Petitioner of a fundamentally fair proceeding in violation of the Fourteenth Amendment.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Nakita Marie Baker

Petitioner, Pro Se